

MS13 in the Americas

*How the World's Most Notorious Gang
Defies Logic, Resists Destruction*



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Major Findings

Picture by Luis Romero/AP Images

The Mara Salvatrucha (MS13) is one of the world's largest and arguably most violent street gangs. After relatively humble beginnings in Los Angeles in the 1980s, it has spread to more than a half-dozen countries and become a central focus of law enforcement in two hemispheres. In spite of these efforts, the MS13 remains a persistent threat and shows signs of expanding its criminal portfolio. This report attempts to explain what makes the MS13 such a difficult problem for authorities to tackle. It focuses on assisting law enforcement's understanding of the gang's criminal activities, but it includes deep discussion on the social and political issues around the MS13. Below are our major findings.

The MS13 is a largely urban phenomenon that has cells operating in two continents. The MS13 has between 50,000 and 70,000 members who are concentrated in mostly urban areas in Central America or locations outside the region where there is a large Central American diaspora. In Honduras and Guatemala, the gang is still largely urban. In El Salvador, however, the gang has steadily spread into more rural areas. Expansion beyond urban areas has also happened in places in the United States, most notably in Long Island and North Carolina, and increasingly California. The gang has appeared as well in Europe, specifically in urban areas of Spain and Italy. The size of the gang in these settings varies greatly and fluctuates, mostly in accordance with law enforcement efforts and migration patterns unrelated to the gang.

The MS13 is a social organization first, and a criminal organization second. The MS13 is a complex phenomenon. The gang is not about generating revenue as much as it is about creating a collective identity that is constructed and reinforced by shared, often criminal experiences, especially acts of violence and expressions of social control. The MS13 draws on a mythic notion of community,

a team concept, and an ideology based on its bloody fight with its chief rival, the Barrio 18 (18th Street) gang, to sustain a huge, loosely organized social and criminal organization.

The MS13 is a diffuse organization of sub-parts, with no single leader or leadership structure that directs the entire gang. The MS13 has two poles of power: in Los Angeles, where it was founded, and in El Salvador, its spiritual birthplace where many of its historic leaders reside. But the gang has no single leader or leadership council. Instead it is a federation with layers of leaders who interact, obey and react to each other at different moments depending on circumstances. In general terms, most decisions are made by the individual cell, or what is known as the “clica,” the Spanish term for clique. The highest-ranking members in some geographic areas make up a leadership council, but not all areas have a leadership council. In Los Angeles, the MS13 is subservient to the prison gang known as the Mexican Mafia. In El Salvador, the gang is also run from prison by its own leadership council. Along the East Coast of the United States, the gang has no council, although it takes much of its directives from Salvadoran-based gang leaders. Because these leaders are mostly in jail, it is exceedingly difficult for them to impose total control over the rank-and-file.

The MS13 has guidelines more than rules, which are subject to varying interpretations. The diffuse nature of the organization has widespread implications for how it operates. The gang has guidelines more than rules. These guidelines are subject to haphazard interpretations and application. In other words, this internal justice is not necessarily a strict system and often depends more on who the leader is and who is being judged, rather the actual transgression or the circumstances surrounding it. This inconsistent application of the rules leads to constant internal and external conflicts and is the cause of widespread violence wherever the gang operates.

MS13 violence is brutal and purposeful. Violence is at the heart of the MS13 and is what has made it a target of law enforcement in the United States, Central America and beyond. It is central to the MS13’s ethos, its modus operandi, and its evaluation and discipline of its own members. Violence also builds cohesion and comradery within the gang’s cliques. This use of violence has enhanced the MS13’s brand name, allowing it to expand in size and geographic reach, but it has undermined its ability to enter more sophisticated, money-making criminal economies. Potential partners see the gang as an unreliable, highly visible target, and the gang’s violent spasms only reinforce this notion.

The MS13’s diffuse nature makes it hard for it to control its own expressions of violence. The MS13’s diffuse nature has made it difficult to curtail its violence. The gang itself has attempted to implement rules to control the use of force. Most murders must be sanctioned from the highest levels, but as one of our case studies illustrates, this is often a perfunctory task, reflecting what seems to be a disregard for human life. In addition, the very system that

is designed to control the violence often leads to more violence, since failure to carry out a sanctioned hit becomes cause for internal disciplinary action.

The MS13 is a hand-to-mouth criminal organization that depends on control of territory to secure revenue. The gang's lack of a centralized leadership has kept it relatively impoverished. While it has established revenue streams, the MS13 has a hand-to-mouth criminal portfolio. Extortion is the single most important revenue stream for the gang in Central America, although a significant and rising portion of the MS13's criminal portfolio comes from local drug peddling, especially in US cities such as Los Angeles. The gang is also involved in prostitution, human smuggling, car theft and resale and other criminal activities, but the gang's revenue nearly always depends on its ability to control territory.


The MS13 is a transnational gang, not a transnational criminal organization (TCO). While the gang has a presence in two continents and at least a half-dozen nations, the gang is a small, part-time role player in international criminal schemes. In cases of international drug trafficking, for instance, the MS13 is dependent on other criminal actors such as the Mexican Mafia. The gang plays a similar, part-time role in other international criminal activities such human smuggling as well. Its diffuse organizational structure and public displays of violence are two of the main reasons why the gang has not succeeded in transforming itself into a TCO. And while some criminal activity – most notably the MS13's involvement in petty drug dealing on a local level – is driving the gang's maturation process and leading it to new opportunities, this is a slow process that is causing significant conflict within the gang.

El Salvador's MS13 leaders are trying to assert more control over the US East Coast. Some MS13 leaders, especially those operating from jails in El Salvador, are trying to create more top-down control, and expand its social and political influence. In El Salvador, the gang has negotiated delivering votes to some of the country's most powerful politicians. They have also instituted more formal and complex command structures inside and outside of jail, and they have emissaries in places as far away as Boston who are trying to corral the rudimentary and undisciplined gang cliques operating along the US East Coast.

The MS13 is taking advantage of traditional migration patterns, not sending members to set up new cells. The MS13's efforts in El Salvador have alarmed law enforcement officials who say the gang's high-ranking leaders are also moving their rank-and-file around the region, including to the United States. But while the gang is repopulating cells and establishing new ones, the MS13 appears to be taking advantage of circumstances, rather than actively creating those circumstances. MS13 members migrate for the same reasons that other migrants do, and they go to the same places. They also face many of the same risks such as indigence, isolation, victimization, detention and deportation.

This report is divided into five sections. We begin by chronicling the multi-national history of the MS13. The group is the byproduct of war, migration and policy, and it has a footprint in a half dozen nations. We then turn to the gang's philosophy, its guiding principles and ideology. The gang centers itself around the idea of community, which is reinforced mostly via violent rituals and expressions of rage towards outsiders and rivals.

From there, we move to organizational structure. This includes explaining the largely misunderstood loose hierarchy of the gang and its clique system. Then we cover modus operandi, tackling the all-important questions of recruitment, criminal economy, use of violence, and political and social capital. Finally, we elaborate five case studies, which address the MS13's: 1) organizational structure; 2) use of violence; 3) criminal migration; 4) involvement in international drug trafficking; and 5) political and social capital.



Introduction

Picture by Pablo Martinez Monsivais/AP Images

On July 28, 2017, President Donald Trump traveled to Brentwood, Long Island. The area had seen an uptick in violence related to the MS13. In April, four teenagers had been brutally murdered in nearby Central Islip. In September, 2016, two teenage girls had been killed in Brentwood. They were just part of a string of 17 murders prosecutors blamed on the Mara Salvatrucha, or MS13, in the previous 18 months.

“They kidnap, they extort, they rape and they rob,” Trump said of the gang. “They prey on children. They shouldn’t be here. They stomp on their victims, they beat them with clubs, they slash them with machetes, and they stab them with knives. They have transformed peaceful parks and beautiful quiet neighborhoods into blood-stained killing fields. They’re animals.” (Associated Press and CBS News, 2017)

The MS13 is one of the largest gangs in the world. Operating in more than a half-dozen countries across two continents, the gang has thousands of members that have formed a loosely knit criminal and social federation with a powerful brand name. As Trump noted, the gang is known for its violence. It is responsible for thousands of homicides per year, many of them committed against its own members. Its brutality has become its hallmark, leaving hacked and dismembered bodies in public parks, rivers and ditches.

The gang’s violent activities have also become the focus of special gang units and inter-agency task forces across the United States. The Department of Homeland Security (DHS) is targeting its members to find and deport violent undocumented migrants. The Drug Enforcement Administration (DEA) is trying to undermine the MS13’s attempts to break into transnational criminal drug market. And in El Salvador, Honduras and Guatemala, the gang is the perennial focus of law enforcement and prosecutors.

Gang-related murders are thought to represent around 13 percent of all homicides in the United States (National Gang Center, 2012), and upwards of 40 percent of the homicides in El Salvador, Honduras and Guatemala. There are no empirical studies strictly concerning MS13-related violence, and quantifying its offenses lies beyond the scope of this investigation, but in the areas we studied for this report, the MS13 was uniformly seen by law enforcement and civil society experts as the most, or one of the most, violent gangs. The numerous federal and local murder cases would appear to at least partially confirm this perception.

The MS13 is as violent with its own members as it is towards its rivals and anyone who is perceived to cross the gang, including innocent bystanders. In the United States, this violence seems to come in waves. For example, in Suffolk County, Long Island, authorities blame the gang for 17 of the 45 murders in the county between January 2016 and May 2017. (Sini, 2017) Law enforcement gang experts in the Los Angeles area offer similar if not so specific estimates. Even where the gang has less of a role in homicides, such as the Greater Washington, DC area, the murders they do commit are notable for its brutal, macabre nature. (Montgomery County, 2017)

In Central America, violence is more acute and widespread, so tracking these patterns as they relate specifically to the MS13 is more difficult. While gang-related homicides are believed to represent a sizeable portion of the murders in El Salvador, Guatemala and Honduras, there is little reliable empirical information to prove this theory. (Dudley S. , Homicides in Guatemala, 2017) The one data point we do have came during the gang truce in El Salvador from 2012 to 2013, when homicides dropped by half after the MS13 and the Barrio 18 entered a temporary cease fire. (Gurney, 2015)

For the Trump administration, the MS13 is particularly important. The Justice Department has made the gang a top priority, and a series of indictments in the murder cases in Long Island and elsewhere show that it is putting law enforcement resources towards this end. Trump has also used the gang for political purposes, conflating the dangers of undocumented migrants in the United States with gang violence in order to further his anti-immigration agenda.

For some, the MS13 is a transnational criminal organization, capable of orchestrating cross-border assassinations and trafficking illicit drugs. For others, it is a dangerous but predictable response to abuse and social marginalization.

“I have a simple message for every gang member and criminal alien that are threatening so violently our people: We will find you, we will arrest you, we will jail you and we will deport you,” Trump said in his July speech in Brentwood.

Still, despite the prosecutions and the rhetoric, there is little to suggest that the Trump administration's response to the gang will yield better results than what has already been tried. Since emerging in the streets near downtown Los Angeles in the early 1980s, the MS13 has vexed authorities and resisted efforts to destroy it. It has persisted for almost four decades without a master plan, an all powerful leader or a reliable source of income. Its core membership consists of teenagers who communicate mostly via text messages. Its principal communications strategy is conveyed with spray paint. Its leaders are in jail. Most of its members did not complete high school. (Cruz, 2017)

Yet the MS13 remains strong, some would say thriving. It is experiencing a resurgence in areas along the US East Coast, and establishing new beachheads in rural California and cities in Europe. (Alonso, 2016) It is also reorganizing, establishing clear hierarchies and lines of discipline in an effort to professionalize and enter new criminal markets. All of this while it faces down fierce government efforts to dismantle it in the United States, Guatemala, Honduras, El Salvador, Italy (Valencia, 2016) and Spain. (Roberts, 2014)

The gang is a study in contrasts; a violent criminal group, to be sure, but also part social and part political. It is a group that can fill basic human needs just as easily as it can end a human life. It can move drugs over international borders, but it has a difficult time paying its members a living wage. These divergent characteristics explain contradictory assessments of the gang by law enforcement and gang researchers alike. For some, it is a transnational criminal organization, capable of orchestrating cross-border assassinations and trafficking illicit drugs. For others, it is a dangerous but predictable response to abuse and social marginalization. As we shall see, the gang encompasses elements of all of the above and more, which is why it has become so difficult to eradicate.

This report focuses on the criminal enterprises the MS13 has developed. But understanding this criminal economy requires a deep look into the gang's history, its core ethos, its structure and organization, and its modus operandi. The result is a more nuanced understanding of the gang, something that goes beyond the one-sided version offered by the president on that July day in Brentwood.



Methodology

Picture by Ginnette Riquelme/AP Images

This report is part of a project financed by the United States Department of Justice’s National Institute of Justice (NIJ) program. In 2013, the NIJ awarded a grant to American University, which co-hosts InSight Crime, to complete a multi-disciplinary study on the Mara Salvatrucha or MS13. The project set out to explore, among other topics, the gang’s:

- Criminal activities
- Relationship with other criminal organizations and criminal organizations
- Modus operandi
- Use of violence
- Accumulation of social capital
- Political power
- General development and organization
- Recruitment

The research was done in El Salvador, Greater Washington, DC and Los Angeles, and it was broken into two major components: 1) a quantitative component based on hundreds of surveys of gang members and gang experts, supplemented by social network analysis designed to elucidate ties between different pieces of the organization. Results of the quantitative analyses, undertaken by criminologists at American University and Arizona State University, are presented in papers that are

currently under review in academic journals; and 2) a qualitative component based on dozens of interviews with gang members, gang experts and stakeholders was carried out by InSight Crime researchers. The qualitative component included field notes from interviews with stakeholders in all three venues, additional field work in Long Island and Houston, interviews with a wide set of actors working on gang issues, as well as analysis of dozens of judicial cases in the United States and El Salvador, government and media reports, and an exhaustive review of relevant secondary literature. The findings of the qualitative research, combined with additional reporting that InSight Crime conducted with separate funding in Honduras (InSight Crime and ASJ, 2015) and Guatemala (Dudley S. , Homicides in Guatemala, 2017), form the basis of this report.

In all, project researchers interviewed over 100 gang experts and over 100 gang members, a combination of imprisoned members and those on the street. For this report, gang members interviewed all self-identified as such. Gang experts and stakeholders were law enforcement officials and civil society members with regular interaction with the gang, such as religious leaders or those working in youth prevention and other programs.

This project is subject to an Institutional Review Board protocol that protects the anonymity of our sources. We have attempted to mitigate this by identifying the type of gang expert consulted, distinguishing two broad categories: law enforcement experts and civil society experts. We also make clear when more than one gang expert expressed a particular view and, if the gang expert is engaged in law enforcement, we indicate the government the gang expert represents. In instances where these experts are noted in the text, we do not provide citations. Where data was gathered by InSight Crime outside the scope of the NIJ-funded effort governed by the IRB protocol, sources may be identified by name.

We have used case studies from judicial cases to reinforce our understanding of the gang. We understand that these examples are not perfect representations of how the gang works, and that there is a built-in sample bias. Prosecutors have a clear interest in depicting the gang as a complex, sophisticated criminal group, one that should be subject to conspiracy laws such as the Racketeer Influenced and Corrupt Organizations (RICO) statute in the United States. Nonetheless, the testimonies and experiences of the gang members and their victims in these cases help us see what the gang is and how it works. And when this information overlaps with information from interviews, it serves to fortify our knowledge base.

The word gang is loaded term with multiple definitions that can be used for political purposes. (See Annex I: The Problem with Counting the MS13) For the purposes of this report, we define a gang as: A group of people – usually young and from a low socioeconomic background – that is made up of relatively autonomous cells, each with a clearly identifiable leader. These cells define themselves, in part, around

constant, reciprocal violence against other groups of youths. It is this conflict that makes them a cohesive organization, and that is the means for establishing internal hierarchies and awarding status and power.

The MS13 fits well within this definition. The gang emphasizes group cohesion over financial revenue, and its ideology of hate separates it from other criminal organizations we have studied. To bring this into sharp focus, it is useful to first explore the history and development of the gang.



MS13: A Brief History

Picture by Luis Romero/AP Images

From Stoners to Deportees

The MS13 began in the late 1970s in Los Angeles, California, where Salvadoran refugees were looking for more economic opportunity and fleeing a growing civil conflict in their own country. Mostly teenagers and young adults in Rampart Village, Pico Union, Korea Town and Westlake gathered, listened to rock music and smoked marijuana. They called themselves “Stoners,” an homage to the music and the drugs. The Salvadorans among them – mostly in Korea Town – formed what they called a “clica,” or “clique,” near where Pico Boulevard crosses with Normandie Avenue. (Ward, 2012) (Diaz, 2009) (Martínez C. a., *El origen del odio*, 2012)

They took on the name “Mara Salvatrucha Stoners” or MSS. (Ward, 2012) There is much dispute about the origins of the name. “Mara” is a reference to a large, swarming group. Some have traced it to a 1954 Charlton Heston movie “The Naked Jungle,” which was translated as “Cuando ruge la marabunta,” or “When the Ants Roar.” Marabunta gave way to mara, which was eventually used to refer to the large, swarming youths forming gangs at their doorstep.

For its part, “Salva” is supposedly a reference to El Salvador. And “trucha” is a trout, and some interpret this as referring to savviness or cunning. However, the word “Salvatruchos” was also used to describe the Salvadorans who helped thwart William Walker. Walker built his own mercenary army and tried to conquer parts of Central America in the 1850s before being executed.

In some accounts (Flynn, 2017), there are also references to the MSS13, and we obtained photos of “MSS13” graffiti from that time period. The “13” in this case was

said to be a universal symbol for outlaw, according one former US law enforcement officer; although others said it was more likely a reference to Sureños, the grouping of all southern California gangs explained in more detail below.

The MSS members were fans of rock bands like AC/DC, Judas Priest, Led Zeppelin, Kiss and others. Like their idols, they flashed horns with their forefinger and pinky. They wore shorn jeans and had long hair. A tiny portion reportedly used satanic symbols and paraphernalia, some of which remain an important part of the gang's symbolic repertoire. (Ward, 2012) They got into fistfights with other gangs and were prone to disturbances, but there was little to suggest they would become an international gang that would eventually operate in at least a half-dozen countries around the globe.

By the mid-1980s, the MS13 was growing as a result of the steady influx of Salvadorans fleeing what had become a full-fledged civil war in their country, and it was transforming into something anticipating its modern form. Those entering its ranks were equal parts fearful and curious. They sought protection from other Latino gangs but also a means to connect with their fellow Salvadorans. Knives, machetes and even axes soon replaced fists. Territory became more important to the gang's identity than music or drugs. And they expanded. What was one clique became five; this would later expand to close to 20. It took on the Los Angeles street names that would eventually spread into other parts of the United States and abroad: Western and Leeward were among the first.

Rivalries emerged. The MS13's main enemy was the Barrio 18, a gang that had been in the area since at least the 1960s. The Barrio 18 was a rare Latino gang that accepted many nationalities. At first, the two gangs were friendly. But in the late 1980s, for reasons that are in dispute¹, a battle broke out between them. The killing has since spread throughout the hemisphere and has come to be a core feature of the MS13's ethos. Younger members of both gangs have little idea of its origin and simply accept it as part of gang life. The gang depends on this rivalry to create cohesion and loyalty. Some would even argue that without this rivalry, the gang would suffer an identity crisis. (Savenije, 2009)

Authorities noticed the surge in Latino gang activity in Los Angeles, but their efforts to quell the scourge only accelerated the learning curve and growth of the gang. Gang injunctions and a new RICO-style state law² in 1988 led to more and longer prison sentences for gang members. (Greene, 2007) In jail, the gang learned new lessons that were taken back to the street where the gang was beginning to collect fees for

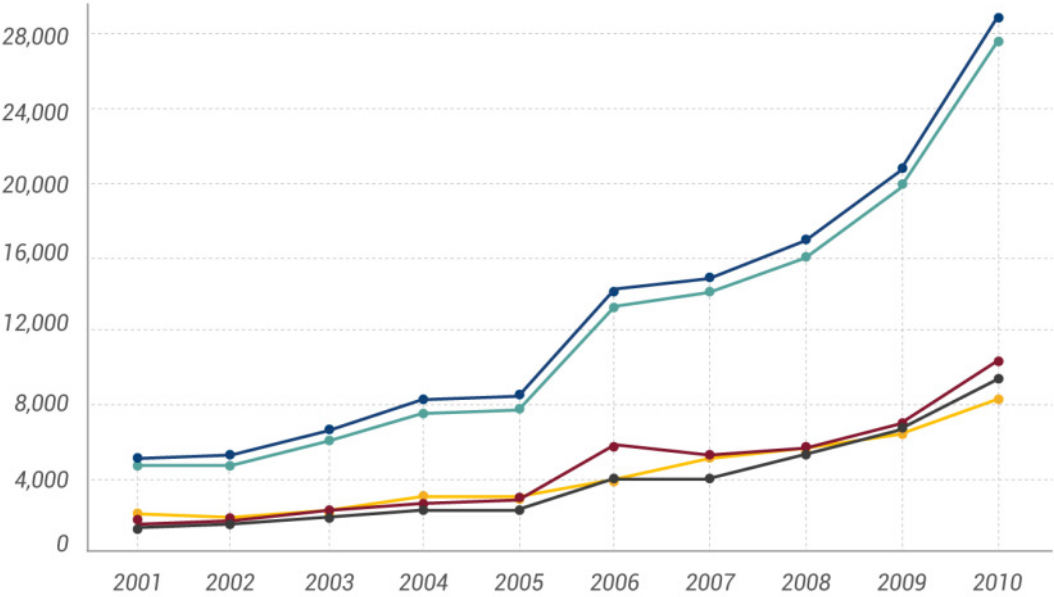
¹ Ward's account, which is based on dozens of interviews with MS13 members, cites three different reasons: 1) a fight over a woman; 2) an effort by some Barrio 18 members to join the MS13; 3) a drive-by shooting by MS13 members targeting a rival gang in which a Barrio 18 member died .

² California's Street Terrorism Enforcement and Prevention Act (STEP) effectively criminalizes membership in a gang and allows prosecutors to "enhance" the sentences attached to crimes that are part of gang activity.

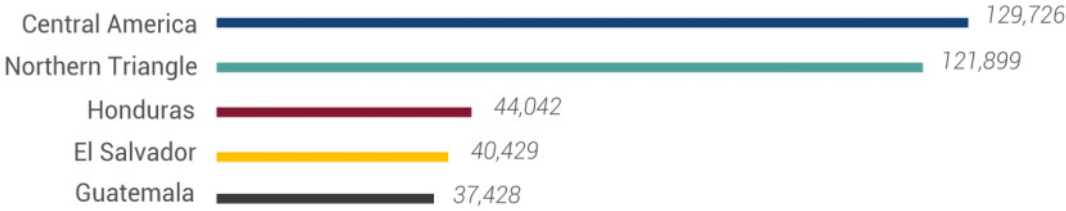
illegal activities in its territory. Drug sellers were the most common target. Weekly collections became daily collections. (Martínez C. a., El origen del odio, 2012) The “renta,” or “rent,” as it was known, took form. It was the beginning of the gang’s criminal economy.

Enforcement efforts also led to more deportations and gang migration within the United States. The Northern Triangle countries of the El Salvador, Guatemala and Honduras bore the brunt of these deportations. Gangs with US brand names began appearing in the early 1990s in these countries. This process accelerated in the late 1990s and through the 2000s after changes in US laws (Saint Germain, 1996) in the mid-1990s opened the door for massive deportations of ex-convicts back to their countries of origin. Of the 129,726 convicted criminals deported to Central America between 2001 and 2010, over 90 percent were sent to the Northern Triangle. (Department of Homeland Security (DHS), 2011)

US Deportations of Ex-Convicts 2001-2010



TOTAL EX-CONVICTS DEPORTED BY REGION, COUNTRY 2001 - 2010



Source: US Department of Homeland Security, Yearbook of Immigration Statistics insightcrime.org

At the same time, the MS13 spread across the United States. The first cliques in Washington, DC and Long Island can be traced back to the 1990s. While the Central American version of the MS13 evolved steadily into a more menacing, somewhat sophisticated criminal organization, the MS13 cliques on the East Coast were, and remain, crude copies of the gangs in other parts of hemisphere. They are known more for their penchant for violence than their criminal savvy, and they rise and fall, often in conjunction with migration patterns, leading authorities to conflate the two phenomena.

La eMe and the MS13

In Los Angeles, the MS13 follows a slightly different logic, one governed by a more powerful force known as the Mexican Mafia. “La eMe” (sometimes written “La M” or “La Eme”) has strength that belies its numbers. While it only has about 100 full-fledged members – referred to as the “los señores” – spread mostly throughout the California state prison system, it controls thousands of gang members inside and outside of the jails. It achieves this by keeping gang members and others safe from other prison gangs. Unlike the outside, where Latinos are often divided by nationality, inside jail criminal groups are mostly divided along ethnic and racial lines. The Mexican Mafia is the head of the Latino jail population in Southern California.

The Mexican Mafia’s umbrella is known as the Sureños. Loosely translated as “Southerners,” or “South Siders,” the Sureños incorporated all the major Latino gangs in southern California, including the MS13 and the Barrio 18. (Amaya, *Sureños en El Salvador: Un acercamiento antropológico a las pandillas de deportados*, 2014) Outside of prison, these gangs fight to the death. Inside, they are allies. In both spaces, they are obliged to follow the orders of the Señores and to pay a tribute from their licit and illicit activities. The arrangement has always been more than financial. The MS13 assumed some of the Mafia’s internal codes, its “cholo” style and eventually officially added 13 to its name, an homage to the letter M, which is the thirteenth letter in the alphabet.

From the beginning, failure to follow orders or to pay tribute to the eMe resulted in severe consequences. The eMe could “green light” the killing of a single member, an entire clique, or an entire gang. The eMe could also quell conflict. In 1993, the Mexican Mafia famously prohibited drive-by shootings and took other measures to lower conflict among Latino gangs on the streets. Like a gang truce in El Salvador nearly two decades later, the eMe-imposed truce was controversial. Many civil society organizations viewed it positively, as a means to slow the senseless tit-for-tat that seemed to be fueling the violence between the gangs. On the other hand, police and other law enforcement agencies believed it was a ruse designed by the

eMe to enhance its control over the local distribution of drugs. The government later prosecuted several Mafia members for their activities during this time period. (Greene, 2007)

The MS13's relationship with the eMe has evolved over time. Some MS13 members have sought to gain entry in the upper echelons of the prison-based criminal organization with varying degrees of success. But the MS13's efforts to graduate from small-time street gang to big-time transnational criminal organization have been undone time and time again. This is in part due to its diffuse organizational structure, ever-changing leadership and haphazard way of applying the rules. And it may help explain why El Salvador's more disciplined, battle-hardened leadership is starting to come to the fore.

From El Salvador to the East Coast

The MS13 in El Salvador has evolved considerably since the early 2000s. Jailed in large numbers as the government employed what was known as “mano dura,” or “iron fist,” security policies that criminalized gang membership or perceived affiliation, the MS13 began to impose discipline and structure. At the behest of its imprisoned leaders, the gang established rules – first inside the jails then outside – that restricted members from doing certain types of drugs and forced them to cut their hair, among other guidelines.

They also began to create what they called programs, which grouped a number of cliques together under the same umbrella, so they could better channel communications from the leadership, or “ranfla,” in jail to the “corredores” (“runners”), and “palabrerros” (leaders), on the streets. Its criminal economy evolved as well. With an increasingly high number of members in jail, its costs of living and maintaining its families were rising, so they instituted mechanisms to collect more money, which included selling or controlling the sale of narcotics on the street.

Lastly, the MS13 spread its influence, mostly to the East Coast of the United States. There, in Washington, DC, Maryland, Virginia, New York and New Jersey, the gang established small, crude cliques. Some came from El Salvador and were therefore loyal to their Salvadoran-born cliques, answering to them. Others were independent, born in their areas of influence and donning their neighborhood names. Notably, few of them answered to the leadership in Los Angeles.

From early on, the East Coast would be known for its spasms of public displays of brutal violence, including the 2003 murder of Brenda Paz, an MS13 member from Honduras turned US law enforcement informant. After luring the pregnant Paz into Shenandoah National Park, Virginia, several gang members stabbed her dozens of times, including in her pregnant belly. (Stockwell, 2005) The killing would lead to

a crackdown, which would quell the gang for a period, as its members migrated to different parts of the East Coast or El Salvador. Many others were arrested, but the pattern has continued through the present. Beginning in 2012, there has been yet another spasm of violence.

From Gang Truce to War

In Los Angeles and El Salvador, gang members have developed social and political capital by prohibiting certain, predatory criminal activities in their areas of influence and aligning themselves with non-governmental organizations, religious institutions and others that work in jails and poor communities with marginalized youths and convicted criminals. From the beginning, it has been difficult for authorities to distinguish between when these are cynical ploys to assist the gang and when they are legitimate efforts to quell gang activity. There have been several attempts to prosecute former gang members who straddled that line. But in both Los Angeles and El Salvador, these connections have helped establish the groundwork for temporary gang truces and remain important places to stage violence prevention programs.

The El Salvador gang truce, which began in March 2012, has become a lightning rod for debate over how best to deal with street gangs. On the surface, the truce – brokered by a government-sanctioned mediator named Raúl Mijango and the Catholic Bishop Fabio Colindres – was an agreement between the MS13 and the two factions of the Barrio 18 gang in El Salvador to lower homicides. In return, the gang leaders would get transferred from the maximum-security prison in Zacatecoluca to medium-security facilities where they could have access to their mid-level commanders and their rank-and-file, as well as enjoy more amenities and access to their family and friends. The agreement also permitted them to communicate freely to their mid- and low-level gang leaders on the streets and enforce the truce.

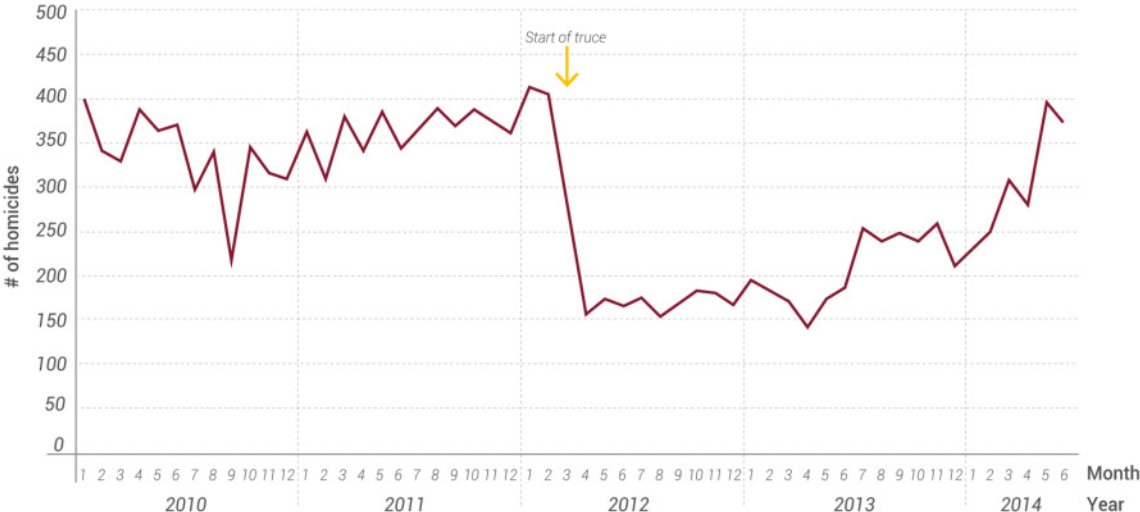
Following the truce, the homicide rate dropped precipitously.

Within the government-sanctioned negotiating team, and indeed among some stakeholders from the NGO and multilateral development assistance sectors, there were some who thought it could also be the beginning of a longer process in which gang members went through a “demobilization” of sorts. In this scenario, public-private partnerships would finance social, educational and economic projects, which would open the door for these gang members to engage more productively with their communities. That effort, however, never got off the ground. This was due to the private sector’s mistrust of the gangs, the public’s open rejection of the deal in polls, as well as the Salvadoran government’s own ambiguous stance towards the truce.

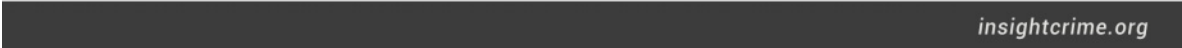
From the beginning, the administration of President Mauricio Funes privately sanctioned the truce and empowered Security Minister David Munguía Payés to pursue talks with gangs. At the same time, it publicly distanced itself from these negotiations and the prison transfers that followed. Although Bishop Colindres was participating in the talks, the Catholic Church hierarchy declared its opposition to the truce. The US embassy also sent a clear message that it was against the truce. A further, more frank signal came from the US Treasury, which, just months after the pact, put the MS13 on its “Kingpin List” and later named six leaders to that same list. The gangs did not help. They continued their criminal activities, most notably extortion.

But while the door never opened for social, economic and educational projects, the homicide rate dropped precipitously from almost the moment the gang leaders were slotted back into their former jails. (Katz, 2016) This drop in homicides was undoubtedly the truce’s most important consequence. The surprisingly quick results of this negotiation and re-insertion of these gang leaders into their prisons of choice illustrated the level of control exerted by the gang leadership over their rank-and-file. As shown in later sections of this report, gang cells have a measure of independence and control over their own members. But what few analysts expected was the speed with which the leadership could reign in its membership on the streets.

Monthly Homicides in El Salvador - 2010 - 2014



Source: Graphic taken from Katz, Hedberg and Amaya (2016). Gang truce for violence prevention, El Salvador. Bull World Health Organ, 660-666.



Of course, it was more complicated than a simple order from the gang leaders to their mid-level commanders and rank-in-file. The truce’s main achievement was really a complicated series of alliances and a plan to interrupt violence that depended on the

gang leaders in the jails, and on interaction with the government brokers and the police. During the 16 months the truce managed to lower violence, the gang leaders, government brokers and the police were regularly communicating, ensuring that the lower ranks and mid-level lieutenants were abiding by their commitments. When they did, there were carrots. When they did not, there were sticks.

Discerning what those carrots and sticks were exactly, and who received them, has been difficult. What has trickled out since the truce effectively ended in June 2013 comes from a mix of reporting and judicial cases. The case files show (La Prensa Gráfica, 2017) how the gang leaders may have received direct cash payments or indirect payments via businesses inside the prisons from the government as part of a way to pay for their participation in the truce. In May 2016, Salvadoran authorities charged 21 people with crimes ranging from moving contraband into prisons to falsifying documents, including the former government-sanctioned broker, Raúl Mijango; the former head of the prison system, Nelson Rauda; and several police officials. The Attorney General's Office says that as much as \$2 million in public funds were diverted illegally to the truce brokers, facilitators and possibly gang leaders themselves. (Tabory, 2016) In August 2017, a judge dismissed the charges, but the Attorney General's Office appealed the decision. (Kiernan, 2017)

Meanwhile, following the dissolution of the truce, a series of videos and an audio recording have revealed more interactions between gang leaders who participated in the truce and political leaders looking to capitalize on the gang's increasingly evident political power. In one video revealed in March 2016 by El Faro, gang leaders spoke with members of the opposition Nationalist Republican Alliance (Alianza Republicana Nacionalista - ARENA) party in a bald-faced effort to exchange votes for money during the 2014 presidential election. (Labrador, 2016) In an audio recording that emerged just a few days later, a prominent member of the governing Farabundo Martí National Liberation Front (Frente Farabundo Martí para la Liberación Nacional - FMLN) party negotiates with gang leaders during the same time period. (Martínez C. a., 2016) Two more videos leaked later showed FMLN officials and gang leaders talking about up to \$10 million in government-financed microcredit, presumably in return for votes during those same presidential elections. (Martínez J. J., 2016)

The videos illustrate the de facto recognition of the gangs as a political and social power, a process the truce appeared to have accelerated. Specifically, they show just how much the political parties depended on the votes the gangs could mobilize (and possibly suppress) in order to win. The 2014 presidential election may have turned on these very votes. The gangs also negotiated directly with mayors during the following mid-term elections. These negotiations resulted in jobs in various city halls and, in at least one case, a criminal alliance with a mayor. (Puerta, 2017)

The truce also offered the MS13 an opportunity to reestablish control over its rank-and-file in the streets, and reorganize the gang's structure. Following the truce,

the gang leadership created what it called “La Federación,” or “The Federation,” a group of 30 or so leaders operating outside the jails that were given powers equal to those inside the jails. The leaders also split the country into four geographic areas to better channel communications, control their rank-and-file’s use of violence, and systematically collect more revenue. Finally, they have used this more centralized control to expand their influence in the United States, a process that is still playing out and having powerful repercussions, especially along the East Coast.

Violence has since returned in El Salvador. Although homicides dropped in 2017, (Clavel, InSight Crime’s 2017 Homicide Round-Up, 2018) the country’s security situation resembles what it did during the 1980s: a low-intensity war. Death squads, some of them connected to and involving police, are assassinating suspected gang members in large numbers and dressing up the crime scenes as confrontations. (Avelar, 2017) The gangs are now targeting the security forces when they are off-duty and even in some cases their family members. (Clavel, Spike in Attacks on Security Force Families as El Salvador Violence Declines, 2017)

The violence is pushing more people to flee to the United States, completing a vicious circle that seems to have no end. Some of these refugees are being recruited into the MS13 in the United States, where they have been tied to another spasm of violence along the East Coast. Some of them are settling in Los Angeles, where the gang is trying to revive cliques to their former glory. Communication, now easier than ever, is increasing among and between cliques. Efforts to supply illicit drugs from the south have picked up as well, while money and weapons are coming from the north to help El Salvador’s MS13 fight back against the brutal police-led onslaught.



Philosophy, Ideology and Guidelines

Picture by Luis Romero/AP Images

Even among well-informed analysts, there is no consensus about who or what the MS13 is. To some analysts, it is an organized criminal group that has a hierarchical structure, (Logan, 2009), specialized members, (Boraz, 2006), transnational capacity (Sullivan, 2006) and a clear ideology that makes it something akin to an insurgency movement. (Manwaring, 2005) To other academics and gang watchers, the MS13 is more of a social expression of despair, (Arana, 2005) a group that commits crimes and spreads to new territories because of necessity and social circumstances, (Wolf, 2012) (Cruz, 2017) It is one that is fed by insecurity and vulnerability of youths across the Americas, (Amaya, Sureños en El Salvador: Un acercamiento antropológico a las pandillas de deportados, 2014) as well as social exclusion. (Savenije, 2009)

There are, of course, features of all these extremes. The gang is both victim and victimizer, (International Crisis Group, 2017) the result of a complex set of social, familial, and individual circumstances. (Amaya, Los sistemas de poder, violencia e identidad al interior de la Mara Salvatrucha 13: Una aproximación desde el sistema penitenciario, 2011) The gang is a loosely organized social and criminal community that at various points can be diffuse or hierarchical depending on the circumstances. While it has rules and some codes of conduct, it is easier to understand them as a set of general guidelines. And leaders and influential gang members have widespread discretion on the application of these guidelines, which is a source of near-constant tension and, in some cases, internal conflict.

Philosophy: El Barrio and Las Letras

It is important to understand that the MS13 is a mythic construct, an idea as much as a real group, a brand name as much as a substitute family. In conversations, gang

What separates the MS13 from other criminal organizations and gives it durability is that the construction and the maintenance of el barrio is fundamental to all gang members.

members make clear that it is centered on the notion of community, which they loosely refer to as “el barrio.” The words literally mean “the neighborhood,” but it is more a reference to its most intimate circle. The idea of el barrio is not exclusive to the MS13. Other gangs also refer to el barrio, which has become shorthand for Latino gang. In the case of the MS13, gang members also use the term interchangeably with the word “mara,” the gang’s shorthand for itself.

El barrio encompasses the best and the worst of the gang, an expression of its bipolar personality that is the defining characteristic of this group. El barrio is a physical space. It has borders, and the gang marks those borders with graffiti and other public symbols. (Savenije, 2009) It posts its members at the edges of these borders to ensure others do not encroach on its space, and members protect this space with their lives, if necessary. It draws revenue from this territory and, in some cases, builds social and political ties with its residents, even while it is victimizing them.

But el barrio is also psychological. What seems to bind all these groups is that they are looking for a sense of place: a space where they can get protection and nurturing – both positive and negative; a space where others are supportive of one another; a space it can call its own, henceforth its near constant references and symbols that beckon the homeland. That space is what they call el barrio.

What separates the MS13 from other criminal organizations and gives it durability is that the construction and the maintenance of el barrio is fundamental to all gang members. Efforts that put anything above this idea run into stiff resistance. This is as tricky as it sounds and strikes at the heart of the key dichotomy of this gang. The MS13 is not about criminal proceeds as much as it is about creating a community that is constructed and reinforced by shared, often criminal experiences, especially acts of violence and expressions of social control. Criminal activities or deeds need therefore to service that community, not the individuals in that community.

The MS13 has put a name to how this works in practice. The gang members refer to it as “las letras.” Las letras is literally a reference to the letters M and S (as opposed to “the numbers,” or “los números,” which is what they use to refer to the Barrio 18 gang). As one gang member described to us, “We owe everything to the letters. We go only as far as the letters allow us.” (“A las letras nos debemos, llegamos hasta donde las letras nos dejen.”)

The phrase encapsulates the MS13’s dichotomy. They are stronger when they work as a group, rather than as individuals. In the best of circumstances, they protect and even support one another. And while they celebrate individual achievements, they

are always reminded that any individual gain comes because they are part of that group. In this way, it is not too different from a sports organization that preaches that the team comes first. (Savenije, 2009) In the gang, individuals who place themselves above the team are considered counterproductive, even traitorous, and must be disciplined.

But the second part of the phrase – “We go only as far as the letters allow us” – is seemingly contradictory to the first. Going only as far as “the letters allow us” is a reference to the counterculture spirit of the gang. In other words, the gang permits a certain amount of independence, even entrepreneurship, if it reflects well on the MS13’s brand. In practice, what this means is that individual members can enter commercial arrangements and commit certain crimes without necessarily seeking approval. In fact, they have a duty to obtain tribute for the gang, which often means taking violent or coercive actions against others.

However, if gang members overstep their bounds, they can face severe disciplinary action because they have besmirched the gang’s reputation and may have put gang members at risk. The same can happen to the gang’s individual group, the “clica,” or “clique,” which often faces a similar dilemma: pay homage to the gang by expanding your influence, increasing your revenue, recruiting more members or exerting social control, but in the process do not overstep your bounds – go only as far as “the letters” permit. These are the grey areas in which gang members kill and get killed in startling numbers.

The Ideology of the Other

The letters set the gang apart from other gangs and criminal organizations. The letters are theirs and theirs alone. Building this loyalty is not easy and relies largely on creation of an enemy, a life-long foe around which the gang can coalesce. (Savenije, 2009) That foe is the Barrio 18 gang.

The Barrio 18, sometimes referred to as 18th Street, is in many ways a mirror image of the MS13. (Savenije, 2009) Like the MS13, it was formed by Latino migrants on the streets of Los Angeles, many of whom fled civil conflicts and economic upheaval in Latin America. The gang was once an MS13 ally. The two reportedly socialized and operated in some of the same areas in the city in relative peace. But that peace was broken, and the chains of retribution quickly spread, in part because of their familiarity with one another. (Martínez C. a., *El origen del odio*, 2012)

Over time, the Barrio 18 became not just a useful foil, but the useful foil: a reason to join, a reason to fight, a reason to celebrate when one of the other gang’s members was dead. That fight built cohesion and comradeship, and eventually became an ideology in and of itself. Las letras vs. los números is the centering point for the gang. (Savenije, 2009)

The vilification of the Barrio 18 is now integrated into the recruiting and training of MS13 members. To enter the gang, many recruits are ordered to kill a “chavala,” roughly translated as “punk,” the MS13’s word for a rival gang member. It is also part of the indoctrination, mixed into the everyday language of its members, and at the top of its rulebook. MS13 members, for example, are not allowed to speak or write the word “eighteen.” Radicalism is viewed favorably and radical action towards the enemy is rewarded, even if it is counterproductive for the gang and puts others at risk. This is apparent in cases where extreme acts of violence are committed against anyone who interacts, even on a superficial level, with the rival gang.

Hatred of the Barrio 18 is the glue that holds the MS13 together. (Amaya, *Los sistemas de poder, violencia e identidad al interior de la Mara Salvatrucha 13: Una aproximación desde el sistema penitenciario*, 2011) The gang has used it to build its brand across two continents, and it may help us understand the durability of these two gangs more than any other single factor. But the obsession with the other gang has also pulled the MS13 to other end of the pendulum of criminal organizations: While some criminal groups focus on obtaining and developing reliable revenue streams, the MS13 is focused on developing new ways to undermine and destroy the other gang. Any action, discussion or reconciliation is suspicious, even traitorous, and will cause internal rifts.

MS13 Guidelines

The MS13’s overarching philosophy and ideology keeps the gang centered, but it cannot keep order, so over the years, the gang has established a set of guidelines. (Amaya, *Los sistemas de poder, violencia e identidad al interior de la Mara Salvatrucha 13: Una aproximación desde el sistema penitenciario*, 2011) These guidelines cover the gang’s most persistent problems. Some of them deal with specific issues, but they reflect the gang’s need for discipline, trust, loyalty and commitment, as well as its desire for social control over its own members and those in its territory.

No Theft

The MS13 prohibits theft from the gang. This is, in part, because the gang’s criminal economy is based mostly on extortion, or what they call “rent.” Individuals in the cliques carry out this extortion, making this rule an indispensable part of the MS13 handbook. Technically, all extortions need to be decided upon and communicated to the clique leaders. These leaders then transmit this information and a percentage of this revenue to their bosses – in most cases, the heads of what are called “programs” – who then pass a percentage to their bosses, who are referred to as “ranfleros,” or “shot-callers.” (For more on these terms, see the section: Organizational Structure) In some cases, all theft is also prohibited in the areas where the gang operates, and

the gang will discipline, expel or kill thieves in its areas of operation. In this way, the MS13 can build relationships with the community at large.

No Rape

The gang prohibits rape of female companions or relatives of gang members. The enforcement of this rule varies from place to place and seems to have emerged from the gang's experiences in jails where it and its family members were raped on a regular basis.

There is, however, a much deeper issue here that is beyond the purview of this report, especially as it relates to how the gang envisions masculinity and how this image affects the gang's troubled relationship with women. In the simplest terms, women are not considered human. They are routinely referred to as "bichas" or "hainas," which, roughly translated, means animals. For a time, women who were accepted to the gang could choose to be literally gang raped as their initiation. Researcher Tom Ward says many women opted to be beaten – "brincado" – instead because they got more respect over the long haul. (Ward, 2012)

In more recent years, in many parts of the region, women are simply no longer accepted into the gang. The nominal reason for this is because the gang considers women more susceptible to pressure from authorities to turn state's evidence. But this distrust extends far beyond law enforcement issues. There are countless fights over girlfriends and wives inside the gang, not least because of the frequent and long incarceration of gang members. What's more, families represent a competing community, perhaps the single most powerful counterbalance to el barrio.

It's worth noting also that the gang is often an extreme reflection of the society's mores. There is, for example, no recognition of date rape, and women are routinely abused and raped within the gang community. And, as it is with other gang guidelines, there is tremendous latitude given to powerful members of the gang. Gang members inside jail have been known to take advantage of their privilege with younger, incarcerated members, and gang members on the outside have been known to rape women without any consequences. (Martínez J. J., 2016)

No Crack Cocaine

The use of alcohol and drugs is common inside the gang, and over the years the gang has tried different methods to limit the collateral damage associated with it. Crack cocaine is considered the most harmful, and its use is strictly prohibited. The gang links its use to internal fights, theft and a general degradation of the member's ability to prioritize el barrio over the drug. There is a particular concern that the use of crack leads directly to a member becoming an informant. But other drugs, such as marijuana, have provoked the same worries. Marijuana has been restricted

on occasion, or least its use more closely policed. Alcohol has also been policed on occasion. In Los Angeles, for example, some powerful cliques have pushed recently to restrict partying to gang-only events, i.e., members can only smoke marijuana and consume alcohol when they are with other gang members in a controlled setting. At its core, drug use represents a competing influence, something that can steer the member away from his loyalty to the gang.

No Snitching

Any contact with authorities or rivals raises suspicion in the gang, and providing them with any information is strictly prohibited. Since many gang leaders are in jail and the gang is in a state of constant conflict, simple acts, such as not returning calls or texts, can become suspicious and even signal conspiratorial activity against the gang. Disappearing for long periods of time can lead to judgement in absentia. All of these decisions are colored by relationships both inside and outside of the gang. Inside of the gang, members are constantly trying to show loyalty. Outside of the gang, their relationships need to be transparent, easily explained. Work is a legitimate excuse to be with others; partying is not. Gang members who have extended networks beyond the gang are viewed with suspicion, and so there is a natural tendency to reduce contact with outsiders. The result is that the gang indirectly controls its members' social circles. In this increasingly cloistered, closed circle, the gang's ethos is constantly reinforced, defended and justified, and those that leave are never forgiven.

No Leaving

In principle, gang members are not allowed to leave under any circumstances. They can, however, change status from "active," to "passive," or become what is known as "semi-retired" ("calmado"). The gang leaders in that area have to grant permission to a member to change this status. That permission is usually contingent on a number of stated and unstated factors: the member's "commitment" to el barrio, the member's duration in the gang, and the member's current family situation. Obtaining permission to transition into a calmado is not easy, and being calmado does not mean the gang member is not governed by gang rules. A member that is calmado is still loyal to el barrio. He can even be called to assist the gang in extreme circumstances either through counsel or direct action with the gang. But for the most part, a calmado does not have to participate directly in gang life. He is not, however, left to live his life in the way that he sees fit. He is expected to comport with the rules or within the confines of his new circumstances. Calmados that have, for instance, embraced the evangelical church must show a dedication and commitment to that lifestyle. If they are found drinking, abusing their wives or showing in other ways that the church may have been a means by which to escape the gang, they can face serious consequences, including a death sentence.

Attend Meetings

The gang has long had internal meetings to make major decisions. In fact, the English term “meeting” is still the name used for these gatherings, although the word has various bastardized versions in Spanish, “mitin” and “mirin” among them. Attendance is mandatory. Meetings have practical purposes, such as paying dues, talking through problems, designating leaders and talking strategy. And they have a social purpose: they build comradery. Meetings are where members can celebrate triumphs and lament deaths or incarcerations. In some instances, they are the only place where drugs and alcohol can be consumed. Most importantly, they are a space where the gang can judge other members who have committed transgressions and apply disciplinary action. Here is where the gang decides who lives and who dies. Meetings are the place where everyone in the gang assumes responsibility for all of its actions – legal and illegal, social and anti-social – and where gang members are both complicit in criminal activities and amongst their community.


Green Light

A “green light” is a blanket order by the gang to kill someone. The MS13 took this policy from the Mexican Mafia. Like the Mafia, the MS13’s process by which it decides to issue this approval has to go through the highest echelons of the organization. Failure to follow it is an affront to el barrio and carries with it grave consequences. This includes when a family member or a close friend within the gang is green-lit. It also includes any information that might lead to finding someone who is green-lit.

Internal Judgement: Major Offenses and Courts

Gang members who violate these guidelines have committed what the MS13 calls a “falta grave,” or “major offense.” They are obliged to face judgement of the rest of the gang. This judgement is called “corte,” or “court.” A member being judged is being “courted,” or “regulated.” Calling court means there are grounds for a strong accusation. Technically, the clique leader presides over the court, and it is the clique that takes the ultimate decision by consensus. But ranfleros and shot-callers can have an outsized influence on the verdict no matter the clique or the transgression.

Court can end in a fine or a disciplinary beating, which can last for 13, 26 or 39 seconds. Weapons such as knives, bats or pipes can also be used to enhance the beating. Members can be voted out of the clique and subsequently beaten for the requisite “13” seconds. They can join a new clique, but have go through the initiation beating again. Some gang members receive a death sentence during court, often in absentia.



Organizational Structure

Picture by Ginnette Requielme/AP Images

The MS13 is complex on certain levels and simple on others. It is, as a recent indictment in El Salvador described it, “collegial, multi-layered and multi-membered.” (Operación Jaque, 2016) But the gang operates without any clear hierarchy or any single boss controlling it. Instead, there are layers of leadership structures whose purview and control over their members is as dynamic as the gang itself.

In the top layer, there are leadership councils formed by seasoned veterans. Below that are what are called programs, which are managed by mid-level leaders. These programs manage the cells of the gang, or cliques. These cliques are semi-autonomous and exert the most influence over their members.

To a certain extent, this system has worked to help spread the gang’s brand and influence. Cliques are subtly encouraged to beef up their ranks, expand their criminal activity and establish themselves in new areas. But this system has its drawbacks. Most notably, its diffuse nature has undermined the gang’s ability to mature into a more sophisticated criminal operation that can function as a single organization over a wide geographic expanse.

Cliques

The gang is subdivided into cells or what are known as “clicas” (sometimes written “clikas”), or “cliques.” Cliques are the most important unit of the gang – more important than any individual, any leader, or any upper level of the structure. In the simplest sense, this is because cliques are a gang member’s immediate circle. This

is where he has his closest confidants, his strongest friendships and his most loyal defenders. Cliques are the closest to a replacement family a gang member has.

Cliques are nominally tied to a territory, which is why they mostly draw their names from the places where they were established. Some cliques are named after a street or a neighborhood, such as Hollywood or Normandie. Some have taken on the names of towns, such as Tecla or Langley Park. Others have taken more generic names such as Sailors or Stoners, a reference to the gang's first-ever clique. Regardless of their name, all of them stake claim to territory. This territorial control, they understand very well, is where they derive their political, social and economic power – something we cover in more detail in the section on the gang's modus operandi.

There are hundreds of cliques, but the number of cliques varies greatly from place to place. As of this writing, Los Angeles has about 20 cliques; El Salvador has close to 250; Greater Washington, DC has 12 or so; and Long Island has 10. Some of these cliques operate in more than one place and have an international presence, such as Hollywood and Park View. This is related to the natural migration of clique members to new areas. By rule, cliques can only be started by an original clique member who has migrated.

The cliques' status as semi-autonomous gives them wide latitude in terms of size, purview and criminal economy.

The cliques' status as semi-autonomous gives them wide latitude in terms of size, purview and criminal economy. What this means in practice is that each clique is allowed a certain independence to decide the type of criminal activities it practices and the way it exercises violence to guarantee its territorial and social control, as long as it does not besmirch or endanger The Letters. The degree of independence varies and is related to geography, the social fabric, and the political makeup of the places where each clique is born or has established a presence. It can also be contingent on the personal histories of the heads of each clique, their relationship to the leaders and their personalities.

This semi-independent nature of the cliques helps explain why there exist both ten-member cliques that live from small extortion schemes and petty drug trafficking, and cliques that have hundreds of members, access to assault weapons and connections to international drug trafficking. The organic nature of this system has allowed for cliques to grow and expand their criminal economies.

Some of them have even become gangs within the gang. Such is the case of the Normandie Locos Salvatruchos. Normandie is a historic clique, one with roots in Los Angeles. As its members have migrated elsewhere or been deported, it has spread. Normandie now operates in Los Angeles, El Salvador and the East Coast of the United States. It has hundreds of gang members on the streets and in jails who mostly respond to their own clique leaders. As we shall see, Normandie has

also developed one of the strongest connections to international drug trafficking, but even this connection is limited to small factions of the gang in El Salvador.

Other historic cliques, such as Hollywood and the Sailors, have achieved a similar reach, numbers and power. Over time, this system has become unwieldy, chaotic and even dangerous, especially for the leaders who are operating from jail, as they compete for influence and financial resources. It was in this context, the MS13 created additional layers of organization and the means of disciplining its most ambitious cells and members.

Programs and Ruling Councils

In the early 2000s, the MS13 began a process of internal reorganization inside El Salvador. This reorganization was driven by two relatively new realities: 1) most of the gang's leadership was incarcerated; and 2) the gang had grown into a huge organization. The result was chaos on the streets, lack of control inside the prisons, and vulnerability in both places.

To combat these trends, the gang instituted internal rules and created a more hierarchical organizational structure in each of the areas where it was operating. To begin with, they created group of cliques that they called "programs."

These cliques operate under the aegis and control of a program coordinator, which in most places is referred to as a "corredor," or a "runner." These leaders are chosen based on longevity, history, commitment, pedigree and personality. The ones that run the programs are responsible for being the interlocutors between the cliques and the ruling councils or shot-callers. They also have to resolve issues between and often among cliques. They can determine such things as territorial demarcations of cliques or the fate of individual gang members if they have committed major transgressions.

Like cliques, programs are nominally tied to territories. The East Coast Program is tied to the East Coast of the United States, the Los Angeles Program to the West Coast. But programs can also be international, which normally represent the most powerful cliques that have spread throughout the region because of migration like the aforementioned Normandie Locos.

In other words, powerful cliques can themselves become programs, grouping other cliques beneath them. Clique leaders can therefore be the heads of their clique and the corredor of a program at the same time. However, gang members report that fealty to the program is not the same as fealty to the clique. The clique is always above the program, they assert. The program is merely an organizational tool that carries little symbolic weight to the individual gang member. It is mostly a means by which the gang's highest leaders can channel communications, organize its criminal economy, and impart orders regarding strategy and direction.

In places where the MS13 is very organized, such as Los Angeles and El Salvador, these programs answer to a ruling council. This council goes by different names in the different countries and major metropolitan areas where the gang operates. In Los Angeles, this is called a “mesa,” or “table.” In El Salvador, it is known as the “ranfla,” and the leaders who make it up are called “ranfleros.”

These are the maximum leaders of the MS13. There are generally two types of gang members that reach this level: 1) the older veterans of the organization that move up the ladder by virtue of their years of service and the fact that most of their colleagues are either dead or have transitioned into semi-retired (“calmado”) status; and 2) those that show commitment to the gang, mostly through acts of violence against adversaries.

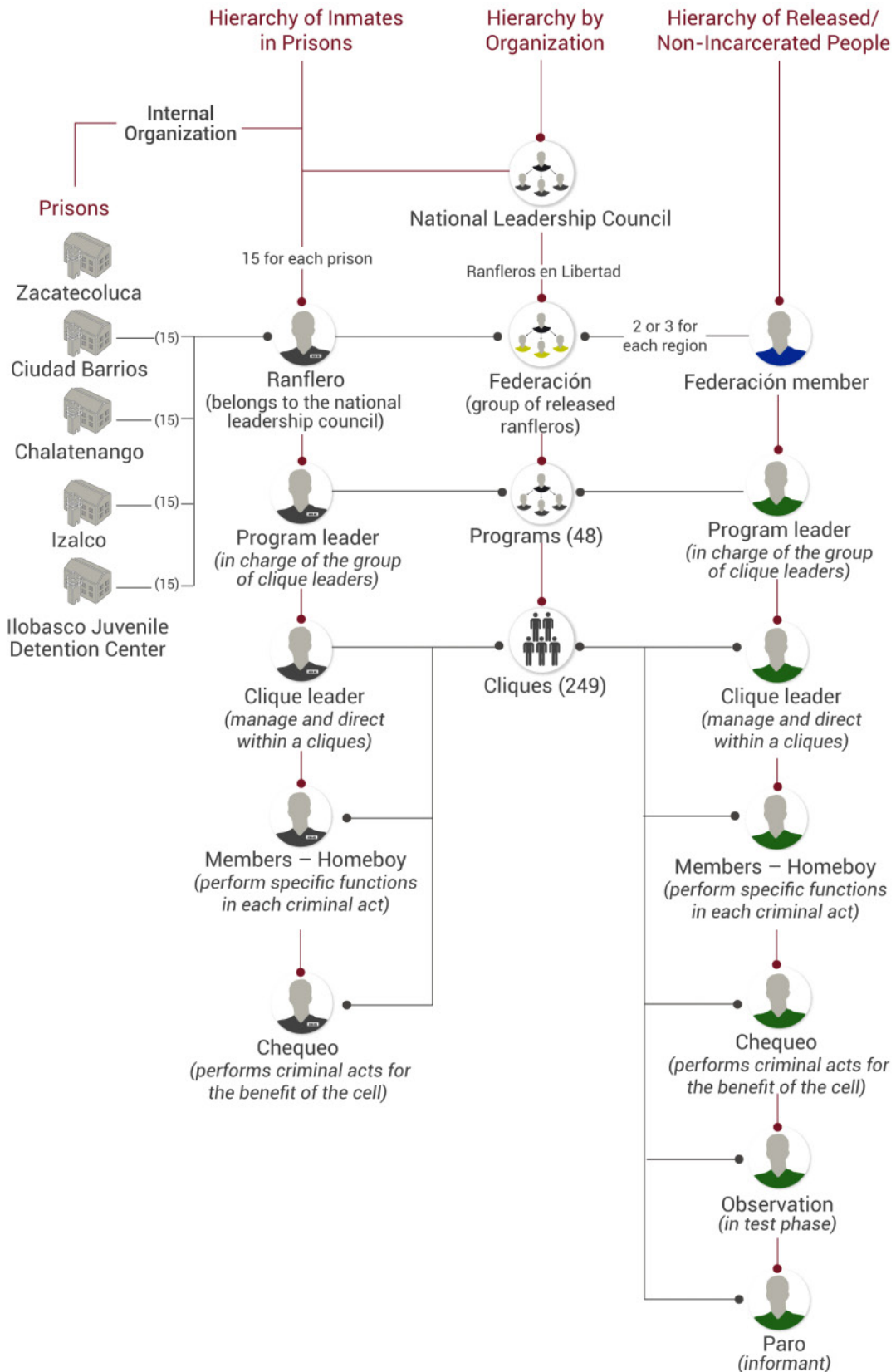
These councils and leaders have sometimes added additional layers in an attempt to exert more control over the gang. In Los Angeles in 2013, a powerful shot-caller tried to establish a “National Program,” also known as “the unification of el barrio.” The leader was trying to exert more power over the gang’s existing revenue streams, particularly extortion, and help the Mexican Mafia establish a more reliable revenue stream by using the gangs as drug distribution services across the United States. (United States Attorney’s Office, 2016) The shot-caller was arrested and his efforts failed, as we discuss later in one of our case studies.

During the gang truce in El Salvador, the leaders created what they referred to as “The Federation.” The Federation is a group of 30 or so gang leaders outside of the jails. These gang leaders channel information back and forth between the heads of the cliques and programs, and the gang leaders in the ranfla inside the prisons. And they partake in the meetings to decide important gang strategy.

Organizational Structure - El Salvador

During the truce, the El Salvador ranfla also established what they called “líneas,” or “lines.” These lines were committees of two or three members who governed certain aspects of the gang’s activities in El Salvador. The “Principal Line,” or “555,” establishes the rules and has the final word on high-level or internal assassinations, among other major decisions. The “Report Line” gets all program and clique reports, and filters the agenda for the Principal Line. The “Expansion Line” is the final arbiter on territorial matters. The “Investigation Line” looks into violations of gang rules or unauthorized activities. The “Legal Assistance Line” collects money for lawyers and civil society groups who are working to advance the gang’s agenda, which we discuss more in a later section and a case study.

Hierarchical Structure of the MS13 in El Salvador



Source: Acusación Operación Jaque [Operation "Check" Investigation], Attorney General's Office, Republic of El Salvador insightcrime.org



Modus Operandi

Picture by Esteban Felix/AP Images

The MS13's modus operandi is centered on controlling physical space, often through extreme violence. That physical space has real and symbolic value, and the organization feeds itself from both. On a material level, the gang subsists from revenue that comes from that territory. On a symbolic level, that territory is what feeds the gang's idea of place, the mythic notion of *el barrio* that helps draw in recruits. A mixture of these two elements leads the gang to commit barbaric and seemingly senseless acts of violence as well as develop social and political ties to the community where it operates.

Recruitment

Because the gang has grown in size and steadily spread into new areas, the MS13 is thought to aggressively recruit members wherever it operates. This is, at best, only partly true. In some cases, the gang does actively seek new members, plying potential recruits with easy access to alcohol or drugs, as some civil society gang experts told us. The gang can also accelerate the timeline for the trial period for potential members or even skip prerequisites to allow for quicker entry, law enforcement experts said. But these appear to be the exceptions. In most cases, the gang hardly needs to recruit, gang members said. The gang's community, its strong brand name and the individual's sense of vulnerability to the MS13 or another gang, rather than any pro-active efforts by the gang itself, are what lead to a near endless stream of recruits.

Joining the Gang

Youths join gangs for many reasons. The case of the MS13 is no different. In his seminal work in Los Angeles, anthropologist Tom Ward noted that gang members joined for a mix of reasons ranging from fear to a connection with “like-minded individuals.” (Ward, 2012) More recent surveys illustrate the gang members’ need for community. A Florida International University (FIU) survey of gang members in El Salvador found that nearly half joined the gang because “because they liked to hang out with other youth and gang members”; another 17 percent said the gang gave them close friends and “brothers.” (Cruz, 2017)

Notably, there is little mention of financial reward in these studies. Although it is clearly a factor and is difficult to separate from other motives – with money, for example, comes status and power – it does not appear to be the driving force. Gang members we spoke with harbor few illusions about their financial prospects, and our case studies show that those who are more ambitious often avoid the gang rather than use it for those ends. As we illustrate later in this report, after three decades and with few exceptions, the gang remains a largely hand-to-mouth criminal enterprise precisely because of its unprofessional approach and emphasis on group cohesion over financial reward.

Several law enforcement and civil society experts said the MS13’s ability to get a steady stream of recruits is also the result of its reputation. The MS13 is known as one of the most violent gangs in the world. That reputation is incredibly powerful, especially for vulnerable and already troubled youths in marginal areas. For them, this is a question of survival, the gang experts noted. They are surrounded by what they perceive as hostile security forces and strong gangs like the MS13 and others. Faced with the prospect of being victimized, these youths seek protection.

What these initiates rarely understand is that the gang itself is extremely perilous, a place where jealousy, petty slights and politics can put them in as much or more danger due to the way the gang operates. They have to go through a brutal trial period, which is often confused with actual gang membership. Initiates only become gang members after passing these tests and later a ritual known as “el brinco” – a 13-second beating at the hands of three to five other members. After that, they are “homies,” soldiers at the ready of the clique leader, and cannot ever leave the gang. The, in other words, has only just begun.

The following is a step-by-step description of this process.

Step 1: ‘Observaciones,’ ‘Paros’ and ‘Banderas’

While the decision to join a gang is very often made under duress, the process of entering the gang is deliberate. Once someone makes the decision to enter the gang,

they become “paros” or “banderas.” They perform basic tasks for the gang, such as providing intelligence or lookout services. In all of these cases, they are in a trial period and are not members of the gang. This is only the first step towards becoming a gang member. In some areas, the MS13 has instituted an additional, intermediary step called “observaciones.” But this extra step only appears where the gang has an abundance of potential recruits and can prolong the process of entry, training and indoctrination.

Step 2: ‘Chequeos’

Those who have passed the first set of tests become what are known as “chequeos.” They are still in the process of going through a trial period during which time they are given specific and increasingly compromising tasks, but they are still not members of the gang. Throughout, the gang is measuring the chequeo’s commitment, trustworthiness and loyalty.

Aspiring members can spend years as chequeos, depending on the area and the circumstances. In El Salvador, for example, chequeos spend two years in trial if they are in jail and three if they are not, gang members told us. Cliques facing threats can and do accelerate this process, they said. There are different classes of chequeos. Those close to being selected for entry have a higher status than those who are just starting their trial period. In both cases, they are, in the words of the MS13, “walking” with the gang, or learning the ropes.

Formal entry in the gang is contingent on passing a final exam, which varies from place to place. In El Salvador, a chequeo must commit a murder for the gang; in the United States, he must attack a rival gang member, or what they call a “chavala.” The gang often views members differently depending on where they went through the initiation. Because they have to commit murder, initiates who go through the final exam in El Salvador are looked upon as more battle-hardened, law enforcement sources in the United States told us. In some cases, this can also change the internal dynamics of a clique. Law enforcement sources in Los Angeles told InSight Crime that Salvadoran initiates arriving in that area were taking a more active role in their cliques because they had gone through a more difficult initiation.

Step 3: Homies

After this often years-long trial period and final exam, the chequeo is ushered into the gang via the violent initiation ceremony known as “el brinco,” or “the beating.” The duration of this beating can be stretched into minutes depending on the person counting, the beating being received, the clique doing the initiating and the person being initiated. It is only then that they are considered homies, i.e., full-fledged members of the gang.

Thereafter, they are given a “placazo” or nickname. Also known as a “taca,” the nickname is always connected to the clique name. This becomes the gang member’s identity. For example, Psycho of Leeward, Spider of Fulton, Baby of Langley Park, etc. Homies can collect extortion, kill in the name of the gang, move and store weapons, and do other, more compromising gang-related jobs.

From our interviews with gang members and gang experts, it’s clear that the MS13 does not have specialists – such as treasurers or assassins – it has members who operate in its loose, multi-layered hierarchy and assume different roles depending on the needs of the clique or the program. The system is an equalizer; every gang member does every job, which engenders comradery. All members are expected to put in the work at all levels. They are also expected to participate in all aspects of criminal acts, including wielding the murder weapon with the intent to kill when the time comes, judicial cases show.

This shared complicity, however, is a problem since it creates so many potential witnesses and collaborators to criminal acts who later can become informants for the state. The gang’s unprofessional approach also leads to errors and leaves it vulnerable to law enforcement. And without specialists, it is harder for them to move into more sophisticated criminal activities. Both of these issues are explored in more detail below in case studies.

Day-to-Day in the MS13

The diffuse nature of the gang and its dynamic leadership structure make for a complex picture of the gang’s day-to-day operations that varies greatly depending on the place where the gang operates. In general terms, gang life is not a fulltime job. Gang members spend large amounts of time with each other, hanging out without much purpose. (Ward, 2012) Many of them told us that they attend school, have jobs, families and numerous other obligations that they balance with gang life, a point that is reinforced by data gathered in a recent survey conducted by Florida International University. (Cruz, 2017)

Being in a gang is not a job, nor do most members see it as such. As noted, members do not join because of the money. Although money can be a motivation, they understand that they are not entering a stable career path. Being in a gang is sometimes at the center of their lives, but sometimes it fades. Some are “calmados,” or semi-retired, and have at least one parallel social circle, such as an evangelical church, that demands at least as much if not more attention.

In specific terms, gang life tends to rise and ebb in waves of activity. From what we can piece together from our interviews with gang experts and gang members, those activities are centered on numerous tasks. These include dealing with internal problems; evaluating, indoctrinating and training potential or new gang members; collecting and/or generating revenue for the gang; planning and committing violent acts against fellow or rival gang members; evading law enforcement and/or eliminating potential informants inside and outside of the gang; and collecting intelligence or counterintelligence.

To put some order to this list, the gang has meetings. Meetings occur on a regular basis and are called and governed by the clique leader and a designated lieutenant, according to law enforcement experts. During the meetings, the leader sets the agenda and lays out the tasks. Meetings can be very hierarchical, or they can be more anarchical, but there is always a leading voice, someone often referred to as “el palabrero,” or the one who has the “la palabra” (“the word”).

Tasks are not assigned. They go to “volunteers” because members needed to show they are willing to “put in the work.”

The nature and dynamics of these meetings has evolved. In his research, Ward called the means by which the MS13 makes decisions a “democratic anarchy.” Tasks were not assigned, he said. Rather, they went to “volunteers” because members needed to show they were willing to “put in the work,” or what was euphemistically referred to as “commitment.” (Ward, 2012) In this way, gang members could rise through the ranks, especially if the tasks were related to dangerous or risky activities. This sense of “commitment” to the MS13 is in nearly constant evaluation by the leadership and other members of the gang. Just as volunteering for a job can lead to respect, wavering in the face of it can lead to distrust and even disciplinary action.

While there are still elements of this “anarchy,” the gang meetings appear to have become more hierarchical in recent years. Wiretap intercepts, infiltrators and witnesses give the impression that this top-down approach is related to efforts of the leaders to garner more control of the gang’s rank-and-file. This is most important as it relates to disciplining its own members. Meetings often include talk of who has committed a transgression, whether the transgression is worthy of a penalty and what that penalty should be, gang members said. Transgressions are broken down into “serious” (“falta grave”) and not serious. Serious transgressions include theft, rape of someone’s girlfriend or relative, excessive or irresponsible drug use, snitching, or leaving the gang without permission. They often require a trial, or what the gang calls “corte,” or “court,” which also happens during the meetings. Discipline is meted out following judgement. Sentences range from getting a beating to the death penalty.

Helping the Gang

The gang cannot operate without additional collaborators, law enforcement experts said. These are civilians who are not aspiring to be in the gang or, because of internal rules, cannot be part of the gang. These include relatives, wives, girlfriends and others closely connected to the MS13.

They collaborate in various ways, such as storing weapons or money, obtaining and maintaining legal defense, smuggling contraband and messages in and out of the prisons, becoming third-party owners of property, managing money, and collecting intelligence and counterintelligence. Some of them also hold unofficial roles as confidants and consiglieres to gang leaders and members. A collaborator's perceived or real power can serve as a source of conflict within the gang.

It is important to note that collaborators can be both willing and unwilling participants in gang activities. The distinction is often difficult to make, but it can be of critical importance when law enforcement officials assess who might cooperate with efforts to dismantle the gang. Collaborators are often minors and very often on the margins of the most heinous criminal acts the gang commits, even if they socialize with gang members on a regular basis. None of them participate in meetings, although because of their proximity and relationships with gang members, some of them have a deep understanding of the gang's operations and criminal activities.

Criminal Economy

The MS13's criminal economy revolves around several money-making operations: extortion, petty drug dealing, and a host of ancillary illicit and licit commercial interests. Each relies on the MS13's physical presence and control of physical space in its areas of operation. The gang rarely controls the day-to-day operations of these businesses, but rather taxes them. This rudimentary economic model has remained fairly static for years, in part because of the gang's subservience to the Mexican Mafia, in part because of its loosely structured organizational style, and in part because of its subservience to its central ethos and penchant for violence.

Extortion

Control of physical space allows the gang to collect what they call "la renta," or "the rent." In some areas, the MS13 refers to this as an "impuesto," or "tax," or even an "impuesto de guerra," or "war tax." But the most common term is renta. Rent can be collected from any business or individual. The MS13's financial foundation comes from this extortion. The gang collects money from licit, unlicensed and illegitimate

businesses as well as from individuals in or near its area of influence. Some members of the gang control parts of these businesses. But mostly, they are taxing them.

Rent is collected on a regular basis, usually weekly, by lower levels of the gang. The ruling council or shot-caller sets the rules regarding how much and how often these parts of the gang have to pay tribute to the leaders or the ruling council. This is normally a percentage of the earnings of that area. It can rise at specific times because of the needs of the ruling council or leaders. In El Salvador, for example, the ranfla has been known to collect the earnings related to drug peddling or extortion of every program for an entire month or week.

Clique leaders keep a close eye and strict control over who gets targeted for extortion, how much money is collected and how often. New targets can be proposed and accepted during meetings. Gang leaders may also discuss issues with collection during those meetings, including whether or not to discipline a target for not paying, not paying on time or absconding. There are strict rules against stealing from gang proceeds, but in many places there is an unspoken acceptance of skimming by individual gang members.

How much rent is charged has some variation but oscillates between 10 and 40 percent of the total revenue of a business, according to law enforcement experts. The most strategic clique leaders find a sweet spot where they can maximize their own profit without bankrupting their revenue base. Determining the amount is based partially on intelligence gathered by the paros, or lookouts, whom the gang can position outside or near a business, gang members said. They can also demand financial information directly from the business owners or managers. More customers equals more rent. Rent can also go up during the holiday season as business increases, judicial documents show.

How much money the gang can make from extortion is subject of debate both inside the gang and among gang experts. In El Salvador, an indictment resulting from a major anti-gang investigation known as Operation “Jaque,” or “Check,” said the ranfla once collected all extortion during a week, which totaled \$600,852. Extrapolating, this would mean the gang was making just over \$31 million per year in extortion. Other witnesses corroborate this number. The indictment says a witness told authorities that the Fulton Locos, a powerful clique, could make between \$15,000 and \$17,000 per month from mostly extortion. Assuming all the cliques made the same, the country’s 249 cliques could make close to \$45 million per year. But all cliques do not make the same, so this extrapolation might be as much as twice what they are really making.

In other areas, we have far less specific information. In Honduras, InSight Crime surveys of extortion victims showed a single gang could make upwards of \$2.5 million a year by extorting taxi and bus cooperatives. (InSight Crime and ASJ, 2015)

But in the United States, these amounts vary greatly. In Los Angeles, where the gang is extorting from drug sales and longtime underground nightclubs, the amount is significantly more than on the East Coast, where the gangs are extorting mostly from small storefronts and restaurants, law enforcement experts said. In both places, the gangs target what US law enforcement experts call “gray-market” businesses owned or managed by illegal immigrants who are less likely to report extortion to the authorities.

How these earnings are distributed within the gang is also a contentious subject that leads to countless disputes. In theory, the clique leader collects the rent from the individual members. A percentage of that money goes to the clique leader, a percentage to the program, which is transferred to the ranfla and, in the case of Los Angeles, to the Mexican Mafia. This percentage can vary from place to place, and in some instances the leadership council can demand all monies collected during a period of time, normally a month, for a specific purpose, as they did in the case outlined in Operation Jaque. Some money generated in the United States also goes to El Salvador or towards buying weapons and other materiel for gang members in El Salvador. But we found no cases in which money or materials go from El Salvador to the United States.

In some instances, businesses in arrears can be expropriated and become part of a gang leader’s portfolio. In those cases, the gang leader may shift gang resources to assisting in the business. For example, in Los Angeles, where MS13 members are known to extort from what US law enforcement termed “casitas” – underground gambling and prostitution “houses” or bars – the gang assigns some members to guard the doors as a sign, they said, that the gang may own a percentage of the business. These guards have the extra duty of keeping an eye on the number of customers to ensure that the business is paying the correct percentage. Some law enforcement officials said the gang assumed a percentage ownership of these casitas, although that assertion was impossible to verify. In other cases in El Salvador and Honduras, the MS13 controls a percentage of bus and taxi services. These can, according to El Salvador law enforcement experts, become part of a gang leader’s holdings.

Local Drug Peddling

In the United States, the most important revenue stream for the gang is local drug peddling. The size of this revenue stream depends on the clique or the area in question. Some MS13 cliques simply tax the independent drug peddlers and others control the wholesale market. This criminal activity also depends on controlling territory, specifically territory where the drugs are sold. In Central America, this competition has led to conflict with rival gangs and other criminal organizations. In contrast, in the United States, this does not appear to be a prime motor of violence, according to law enforcement experts.

Drug peddling is a lucrative practice or piecemeal revenue stream, depending on which part of the drug distribution chain the gang is controlling or the area from which they are collecting. At its most basic level, clique leaders of the MS13 simply tax local

Revenue from drug peddling is contingent on the MS13's ability to secure territory.

drug dealers who operate in their area of influence. This appears to be the case in parts of Los Angeles, Honduras and El Salvador. Some members obtain and sell small amounts of drugs on an individual basis. More entrepreneurial clique leaders try to obtain a larger share of the distribution services, buying and selling to individual dealers. The most

entrepreneurial among them try to control this wholesale market. We have only seen this in Honduras, although law enforcement experts said that in Guatemala, El Salvador and parts of the United States similar efforts have been made. Controlling the wholesale markets would be an important step for the gang in its development.

The rules regarding drug sales also fluctuate between countries. Technically, clique leaders have to have the shot-callers' or the ranfla's authorization to sell drugs. In El Salvador, the ranfla can decommission the drugs if this rule is violated, according to information in the Operation Jaque indictment. But clique leaders and even homies frequently freelance, and if they provide the top leaders with a percentage, they can often avoid the bureaucracy of the ranfla and pocket more money for themselves, law enforcement experts in the United States and El Salvador said.

Revenue from drug peddling is contingent on the MS13's ability to secure the territory in which the drug sales are taking place. This leads to competition between the MS13 and other gangs and criminal organizations, as well as competition within the MS13. In Los Angeles, the Mexican Mafia often settles these disputes.³ But there is no similar overlord in El Salvador, Honduras and Guatemala, and violence is very often tied to control of local drug peddling activities in those countries.

This competition for criminal space has pushed the MS13 to steadily build up its arsenal, its infrastructure, its intelligence network, its relationships with local communities and its connections to authorities. InSight Crime noted how the gang's connections to police in Honduras, for example, had given it an upper hand in that country. (InSight Crime and ASJ, 2015) In other words, this competition for criminal space has accelerated the MS13's maturation process.

Increased revenue has also pushed the gang to learn how to deal with excess capital. In El Salvador, Honduras and Guatemala, this means buying businesses with significant cash flow, such as car wash services, hotels, restaurants and car dealerships. The increased cash flow has also been used to corrupt parts of the judicial system and buy political influence.

³ The Mexican Mafia, for example, famously divided MacArthur Park in central Los Angeles into four equal sections to avoid conflict.

The case of Moris Alexander Bercián Manchón, alias “El Barney,” is a good illustration of this rising influence of at least one gang member in the political and judicial systems. Bercián Manchón is the head of Normandie Locos Salvatruchos. He was captured in El Salvador in 2009 with six kilograms of cocaine, but he has never been prosecuted. Since his capture, judges designated to hear the case have postponed hearings, suddenly become ill and even released Barney on his own recognizance only to have him flee when they reissued orders to capture him after Operation Jaque in July 2016.

Bercián Machón’s family also has business ties to a high-level member of the ruling FMLN party. And in 2013, he sold several properties to a company whose owners included then president of congress, Othón Sigfrido Reyes Morales. The company later sold the properties back to El Barney’s brother. (Lemus, *Los negocios de la familia de Sigfrido Reyes con la familia del Coronel Bercián*, 2017) Bercián Machón’s father, a former army colonel, has been accused on more than one occasion of drug trafficking-related crimes but has also escaped prosecution. (Lemus, *El Coronel Bercián no tiene quien lo atrape*, 2017)

Car Theft and Resale

The MS13 at the highest levels in El Salvador is part of the vibrant car theft and resale market in Central America, and its members are using the proceeds to launder money. But this involvement has been a source of tension and conflict within the gang, and parts of it have been suppressed by authorities in El Salvador.

The activity seems to be limited to the Salvadoran-based ranfla and its closest confidants. According to local and international law enforcement sources, this is something that has been going on for the last few years. This was evident, they said, because several gang leaders on the inside and outside of jail had accumulated several used car lots. The cars come from the United States, Mexico and Honduras. The vehicles are legalized in the used and refurbished car market of El Salvador; they are then resold at the used car lots.

However, car theft and resale in El Salvador has been the source of tension and possibly even conflict amongst the MS13, gang members and gang experts said. A portion of the gang complained that the resources from illicit activities have not been shared with the rest of the gang. Disputes over the proceeds of this activity – along with alleged payments made to gang leaders covered in our case studies – led to a rebellion within the gang. This rebellion included some of the most powerful programs, most notably Fulton, which burned at least one car lot. (Dudley S. a., 2017) The rebellious leader publicly called out the leaders of the ranfla. He was assassinated in January 2016.

Prostitution

The MS13 has mostly tangential contact to the prostitution world. The MS13 collects rent from prostitution activities in its area of influence. In some cases, the gang may be more directly involved, acting as facilitator and manager for the prostitutes and collecting a percentage of the prostitute's earnings.

In parts of greater Washington, DC, for instance, gang members are known to collect rent from street prostitutes. In Los Angeles, they are taxing the "casitas," which includes prostitution and gambling services. In one case in Maryland, (Silva, *The MS13's Prostitution Rings in the United States*, 2015) gang members were connected to a low-level prostitution operation. In Long Island, there are suspicions but no judicial case built against any MS13 clique. In Central America, particularly in Guatemala, authorities told InSight Crime they have concrete evidence of direct connection to and control over prostitutes operating in urban areas such as Guatemala City.

Human Smuggling

The MS13 is only marginally involved in the smuggling of migrants, usually in a support role or as an informant to criminal organizations and/or corrupt officials who victimize the migrants (Dudley S. , *Transnational Crime in Mexico and Central America: Its Evolution and Role in International Migration*, 2012). In fact, MS13 members are just as likely to be among the migrants. The gang also targets migrants for theft or physical assault and rape. But it does not appear to be using its own infrastructure and personnel to transport migrants.

There are many gangs that operate along the migrant route or have a presence in areas where migrants congregate. Gang members move along the trains and buses that transport migrants, and they are often housed in the migrant shelters. They are therefore important sources of information for larger criminal organizations and corrupt authorities about potential targets.

In one case in Houston in 2011, the MS13 appeared to have assumed a larger than normal role. In that case, the gang kidnapped a small group of migrants and was holding them in a trailer park. Witnesses told authorities later that the gang was searching for the person who had facilitated the crossing, the so-called "coyote," and demanding money from him to free the migrants. Authorities call this a "coyote rip." It is more common with larger criminal organizations. It's not clear how common these rips were, but one law enforcement authority told the media that it was a "crime of opportunity" (Dudley S. , *Transnational Crime in Mexico and Central America: Its Evolution and Role in International Migration*, 2012).

Human Trafficking

While the MS13 does not appear manage human trafficking networks, it can play a role as a recruiter and facilitate connections between these networks and the victims of trafficking. Specifically, the MS13 facilitates the transfer of victims into more organized, sex trafficking networks.

The strongest evidence of this is again in Guatemala, where MS13 members have been tied to human trafficking rings that targeted victims that the gang helped recruit. (Martínez O. , 2012) The gang's role as informant along the migrant route in Mexico leads to the same result. While the MS13 is not involved as an organization and does not use its infrastructure for the express purposes of trafficking humans, it does play this important role of identifying potential targets.

Arms Trafficking

The MS13 is not trafficking a large volume of weapons. It is a purchaser of weapons on the black market, and while individual gang members sell weapons of their own volition, this is not a money-making scheme for the gang as a whole.

Having said that, parts of the MS13 have been tied to small rings of arms sales. (Daugherty A. a., 2015) One clique, the Centrales Locos Salvatruchos, allegedly concentrates its sales in San Salvador's city center. The clique usurped the market from another group, according to news accounts. (Goi, 2017)

But this is the exception to the rule. In general terms, while individual gang members may sell a weapon on occasion, the MS13 is not involved as an organization in arms trafficking.

Hitmen for Hire

There are persistent rumors about the MS13's involvement as hitmen for hire, and some gang experts said the gang actively markets this service to other criminal organizations. In addition, the high number of homicides that occur in gang-controlled areas or that are connected to gangs give these claims an air of credibility.

However, we have no conclusive evidence of the MS13's involvement in using its personnel on a regular or systematic basis for this service. Nonetheless, the gang does offer other criminal organizations a lot in terms of ready personnel, infrastructure and cover.

The gang has a strong presence in important urban areas where criminal groups have bases, as well as inside prisons. It has weapons, cars and other infrastructure needed to carry out criminal tasks. It has personnel, people who kill on a regular basis, as well as intelligence services and, as noted in the case of Honduras, strong connections to

authorities. (These connections also exist in El Salvador and Guatemala.) Its role in any crime provides a camouflage for an outside group that wishes to keep its participation secret.

Law enforcement experts insist that all of these factors play a role in criminal groups choosing to use the gangs to commit assassinations. Still, there are no judicial cases or strong evidence to support these claims. There are only sporadic testimonies, none of which have led to convictions. What's more, the MS13 is poorly trained and more easily recognizable by witnesses. It has competing loyalties, and its members are susceptible to pressure from authorities to turn state's evidence, especially if the intellectual authors are not MS13 members.

International Drug Trafficking

The question of the MS13's involvement in international drug trafficking is the subject of widespread speculation and little concrete evidence. Over the years, gang leaders have pushed intermittently into this complex marketplace only to be thwarted by authorities. The gang's failures are partly because of its own incompetence, inexperience and lack of connections. The MS13's guiding philosophy that the gang comes before personal financial gain and its diffuse nature also makes turning in this direction as an organization very difficult. And its wanton use of violence makes it an unreliable partner.

It is not surprising then that these efforts appear to be driven mostly by ambitious individuals rather than by a gang-wide decision to deploy the full extent of its resources, infrastructure and personnel. As we note in more detail in our case studies, these individuals appear to follow a pattern: using other criminal contacts or organizations as go-betweens for the drugs, and creating small distributions services using only pieces of the gang's network. The distinction is critical as we attempt to decipher exactly why the gang has been incapable of becoming a player in the international drug trafficking business.

Capital Accumulation and Money Laundering

The MS13's multiple revenue streams have led to some limited accumulation of capital, which has in turn triggered some money laundering schemes, but these schemes are relatively rudimentary and small in scale. What they have done, though, is provide a means by which the gang can exert more social and political influence over some areas where it operates.

The MS13 has learned over the years how to accumulate and manage money, which in some cases reaches into the hundreds of thousands of dollars. It has created enough hierarchy, internal rules and infrastructure to deal with this money, most of which

is paid out to high and mid-level leaders who then dole it out on a relatively ad hoc basis to family members and other close associates. Other portions go towards paying corrupt politicians and public officials, lawyers' fees and other costs associated with having a huge portion of the gangs inside prisons, gang members and gang experts said.

The gang has put its accumulated profits into low-level money laundering schemes.

The gang has put its accumulated profits into low-level money laundering schemes. In Central America, the MS13 and/or associates are owners or part owners of businesses ranging from car washes to restaurants to hotels to car lots, law enforcement experts said. In most cases, gang experts believe they are capital investors rather than managers of any particular business. The leadership controls these interests through third-party owners, law enforcement experts from the United States and El Salvador said.

The gangs also move or receive money in numerous, sometimes novel and creative ways. The most basic way is through standard money transfers transmitted by companies such as Western Union. On the more sophisticated end of the scale, the gang uses telephone cards in El Salvador and possibly other places.

Capital accumulation has opened doors in political circles and in individual communities. On a social level, the gang has become a job provider and sometimes a purveyor of local services. On a political level, the gang has become an important constituent, capable of shifting the balance of power on the municipal and possibly even the national level, something we cover more thoroughly in our case studies.

Use of Violence

For the MS13, violence is often portrayed as an end in and of itself. But gang experts and gang members both said the MS13's employment of violence is motivated by numerous external and internal factors. Law enforcement experts say the gang also understands that part of its brand and ability to recruit is intimately linked to its violent reputation. The gang sees that reputation as a means to grow in size and stature. It appears to be a way to build group cohesion as well. (Savenije, 2009) And in the end, violence is the ultimate proving ground of masculinity in the gang's hyper-masculine environment, something James Diego Vigil might call "street socialization and enculturation." (Vigil, 1988)

The MS13's use of violence is motivated by two major external factors. To begin with, the MS13 has a need to establish physical boundaries. This is, in part, so the gang can

secure “renta,” or “rent,” the MS13’s euphemism for extortion and other revenue. Without territory, there is no rent. Secondly, the gang uses violence to protect itself from prosecution. Specifically, it targets anyone that it believes is cooperating with law enforcement or security forces. In El Salvador and Honduras, this has led to what are referred to as “invisible boundaries” (“fronteras invisibles”), which residents understand are meant to mark gang-controlled areas.

However, violence also offers the gang opportunity. If it holds a monopoly or near monopoly on violence, it can also exert social and political control. It can do this by policing criminal activities of its own members and other gangs. In some areas in Central America and in Los Angeles, law enforcement gang experts told InSight Crime that the MS13 has created rules limiting extortion in its own areas of influence, and has tried to enforce rules against domestic violence.

In El Salvador, the gang has also used violence as a political tool. This was particularly evident during and after the gang truce. The regulation of homicide rates by the MS13 and the Barrio 18 gave them the power to force concessions from the state. In the case of the truce, this included prison transfers of the gangs’ top leadership and, in some cases, payments and other perks for specific leaders. After the truce fell apart, the gangs increased homicides in an as yet unsuccessful strategy to pressure the government into another dialogue.

Finally, as noted, the MS13 uses violence as a tool for recruitment. The gang is well aware of its reputation and very often uses it to entice or force youths to enter its ranks or collaborate with it.

Internally, violence is employed by the MS13 to exert discipline and to control dissent, gang members and gang experts said. Everything from missing meetings to eyeballing someone else’s girlfriend can incur a beating or worse. There are two transgressions that lead to an automatic death penalty: snitching and desertion. As it is with those outside of the gang, working with authorities is considered the ultimate betrayal. Closely related to snitching is leaving the gang without permission. Those who disappear for long periods without permission are presumed to be collaborating with authorities and are therefore often green-lit.

The gang also uses violence to control intra-gang conflict. Conflict between cliques is not uncommon, and when it occurs, it often requires mediation. If the conflict persists, then it may require intervention from a higher level. That intervention may come in the form of a stern reprimand, a fine or a beating.

Violence is a major part of the glue that binds the MS13. It is part of every stage of an MS13 member’s life: potential members commit violent acts to be considered for membership and ultimately to gain entry; they are then beaten into the gang in a ritual that has left more than one permanently scarred; they move up the gang ladder by “putting in the work” and showing “commitment,” euphemisms for

committing violent acts in the name of the gang. Its rivalry with the Barrio 18 means the MS13 is in a constant state of war. It is also facing down challenges from security

The MS13 is largely a predatory organization whose diffuse structure creates opportunity for widespread abuse by individual clique leaders.

forces. It operates amid potential informants. In this environment, commitment is not just a means to move up the ladder, it is about survival. It is not surprising, then, that the gang has integrated this into its lexicon: Members are, as they say, soldiers.

Shared experiences in battle only confirm this and solidify the sense of comradery and commitment. This is evident in the murder cases. In most criminal organizations we study, there are a small number of specialists who are the designated assassins. In the MS13, all members must do “missions,” and during a mission, all members must participate. In some cases, this means repeatedly hacking a victim with a machete. Refusal means almost certain death since the member or aspiring member is a potential witness.

The weapon of choice frequently is a knife, a machete or a baseball bat. The gang’s murder victims have signs of repeated blows and stab wounds, and are sometimes partially or completely dismembered. The authorities that inspected a scene in Long Island where two teenage girls were killed in 2016 with baseball bats, for example, told InSight Crime the victims looked like they had been run over by a car.

Social and Political Capital

The MS13 has developed social and political capital in many places where it operates. In our research, we found that the amount of capital it has is dependent on the gang’s ability to provide some protection to local residents from outside groups, be they rival gangs or the state; keep MS13 members from victimizing local residents by minimizing or prohibiting extortion and other criminal acts in the area; act as an effective arbiter in domestic or neighborly disputes; participate directly in community associations or non-governmental organizations; provide votes (or impede them) in elections as well as other services for local political actors; and open the door to economic opportunity in areas where they have some political capital.

The MS13 is largely a predatory organization whose diffuse structure creates opportunity for widespread abuse by individual clique leaders. But in some areas the gang and its leaders have shown the wherewithal and the capacity to build social capital or trust with the local community. In some places in El Salvador and Honduras, in particular, the MS13 is seen as protecting the local community. (Farah, 2017) It is, admittedly, the least worst option for residents in many places, but in hyper-violent areas with deeply corrupt institutions, this is extremely important.

This makes sense from the perspective of the citizen. In gang-ridden areas, businesses and residences must pay extortion to gangs or police or both. It is inevitable. These businesses and residences would rather pay a single gang a regular fee on a regular day, than pay several gangs who are fighting one another. This is not just about money. If there are several gangs, the level of risk rises exponentially, as gangs seek to monopolize an area and will threaten residents or merchants who are not perceived as loyal. More competition also means more suspicion and paranoia, and therefore more potential for misunderstandings and violence.

Gangs that hold control of physical territory can further their social capital if they limit or restrict altogether the predatory activity in that community. The MS13 in Los Angeles and Honduras has come to that conclusion and enforces rules against extortion and theft in its areas of influence. In Honduras, according to Douglas Farah and Kathryn Babineau, the MS13 has allegedly gone a step further and is resolving community disputes in makeshift courts, and creating soup kitchens to feed the poor. (Farah, 2017)

The gang also enforces other rules, such as prohibiting rape, which can increase its social legitimacy. In some areas, we have found that the gang imposes rules on the community as well. In one area in Honduras, for example, we found that child and spousal abuse are strictly prohibited. The offender gets a warning the first time, a beating the second, and is expelled from the community after the third. (InSight Crime and ASJ, 2015) There are indications that similar, albeit sporadic interventions, occur in marginal neighborhoods in El Salvador. (Pérez Sáinz J. P., 2015)

The MS13's size and reach have also made it an important social player. This is most evident in Honduras and El Salvador. In both places, the gang has used its control of neighborhoods to enter community associations and other important social organizations. In El Salvador, gang members officially or unofficially run some of these community associations. In both places, gang leaders regularly interact with local community and religious leaders. The interaction is obligatory for these leaders who find themselves negotiating with various gangs so that people can cross invisible boundaries to go to school, travel to work or visit with friends and relatives, civil society experts said.

Gang penetration of these circles can be organic or forced. In El Salvador, dating back to at least 2010, the MS13 has had members who were part of community associations. (Dudley S. , Drug Trafficking Organizations in Central America: Transportistas, Mexican Cartels and Maras) Gangs are also important members of religious groups, although gang members must pass to the status of semi-retired, or "calmado," in order to enter these religious spaces.



Case Studies: The Dichotomies of the MS13

Picture by Esteban Felix/AP Images

MS13: Hierarchy vs. Federation

On December 13, 2015, MS13 gang leader Edwin Mancía Flores, alias “Shugar,” made a phone call from a prison in El Salvador. (United States of America v. Edwin Mancía Flores, et al., 2017) On the other end of the line was José Martínez Castro, alias “Chucky,” the head of what the gang hierarchy refers to as the “East Coast Program.”

Chucky was in Richmond, Virginia. He was the person the gang in El Salvador had tasked with reconstituting cliques and building up new ones along the East Coast of the United States. At Shugar’s instructions, Chucky had called MS13 leaders from Massachusetts, Maryland, Ohio, Texas and Virginia to attend the meeting in person in his home.

“We are here as representatives of the program,” Mancía told the group, according to a partial transcript (that is clumsily translated) contained in the indictment. “One of the points that was discussed there I believe, was unity and brotherhood that we all must share. Everyone together when the time comes to carry out some action. Because the result is that many of the cliques up there are very independent and stupidly insist that this is their side, others are somewhere else with their side, and in the meanwhile, the enemy are filling up the turfs around us.”

Telephone calls like this have given rise to a debate within law enforcement and gang expert circles about how much control is exerted by the MS13’s El Salvador-based leadership. US authorities say Mancía is a “corredor,” or “runner,” who responds to a powerful top-echelon leader, or “ranflero,” inside the gang’s hierarchy in El Salvador. (Silva, *The MS13 Moves (Again) to Expand on US East Coast*, 2016) The

indictment says the Salvadoran leaders have spurred other parts of the gang along the East Coast to sell drugs, send them money, and even murder rivals and suspected traitors as far away as Boston.

Calls like these offer compelling evidence that the gang is trying to control the East Coast from El Salvador. And our research shows that perhaps the most significant change in the MS13 in the last few years has been the rise of the prison-based ranfla in El Salvador. This, we believe, results from several interrelated factors: the increase in communication, the intensity of the conflict in El Salvador, the threat of deportation from the United States, and the leadership's reach within El Salvador.

Gang leaders imprisoned in El Salvador have used technology to receive reports about what is happening on the outside, and they use that information to impart orders across a wide, territorial expanse. The country's low-intensity conflict – complete with bloody tit-for-tats between gang members, security forces and their families – has given US-based segments of the gang a sense of urgency; helping El Salvador has become a priority. In addition, the threat of deportation from the United States to El Salvador makes not following orders from El Salvador a dangerous proposition. The country has become, in a real and symbolic way, a giant prison. Salvadoran gang members presume that either they or loved ones will be sent back to El Salvador, and the ranfla will collect on any real or perceived transgressions.

This combination of factors is having a profound, regional effect on the gang. The ranfla has assumed almost a Mexican Mafia-like control over its East Coast counterparts. The result is a sharp rise in violence at the behest of Salvadoran-based leaders, including orders to murder members of the gang and its rivals.

This brings us back to the case of Mancía Flores and Martínez Castro.

“Let's all work together, united, you know,” Mancía Flores says from El Salvador to the gang leaders assembled in Virginia. “Everyone relaxed, watching for each other. If someone has an issue, or has a problem with another clique, you should approach the Program. (Unintelligible) in order to carry out the Mara's work, you know. In the end, nowadays, we are losing the culture, you know. Dudes go around saying, ‘This is my turf,’ and the enemy is filling up our turfs, you know. So let us focus on the work we must do as MS13, you know. Because here we all represent the Mara Salvatrucha. The only thing that divides us our last name, each member of each clique, you know, those are last names, but we all represent the two letters.”

But this effort by El Salvador to exert more control is still a work in progress. The words of Mancía Flores are not of someone who is in control, but of someone who is seeking control.

Indeed, powerful programs and cliques still remain semi-autonomous, and in some cases appear to be making their own decisions. Take the example of the Sailors

program. Law enforcement experts say they have captured communications between the Sailors in El Salvador and the United States in which those in El Salvador are imparting instructions to those in the United States. In these cases, it is hard to know if those individuals on the calls are speaking in the name of the ruling council, the program or clique, or as individuals. But law enforcement experts in Long Island and the Greater Washington, DC area said the Sailors do not seem to be responding to the East Coast Program. Law enforcement experts in Los Angeles said the same thing about the Parkview Locos Salvatruchos, another powerful program.

Even within the areas and countries where they operate, ruling councils' power has been challenged. In El Salvador, amid rumors the truce had financially benefitted the ranfla behind the backs of the rank-and-file, a mini-rebellion surged. (Dudley S. a., 2017) The rebellion included the powerful Fulton program. Notably, according to US and Salvadoran law enforcement gang experts, the rebellious gang leader said the ranfla had disrespected el barrio for allegedly accepting large amounts of cash from political parties to help them win elections, among other services. One US law enforcement gang expert told InSight Crime that there were also rumors that the ranfla was not sharing proceeds from its car theft and resale businesses. The rebel leader was later assassinated, but the rumblings and tit-for-tat continue.

What's more, ruling councils are not a staple in all areas where the gang operates. On the East Coast of the United States, for example, there is no ruling council, which may help explain why Mancía was trying to impose some sort of order. In other areas, ruling councils have appeared and subsequently disappeared. In Los Angeles, for example, there has traditionally been a single shot-caller, but several law enforcement gang experts told InSight Crime that there are currently various shot-callers who have formed what they refer to as a "mesa," or roundtable. The law enforcement experts say this is the result of arrests and indictments of the leadership in that city that have left the gang in disarray and made the position of shot-caller unappetizing. (United States of America v. José Balmore Romero, et al., 2017) At some point, experts expect a single shot caller to emerge, but in the interim, an ad hoc ruling council is making the decisions.

In all cases, local underworld dynamics, history, geography and personality play a role in how the gang is governed. The MS13's mesa in Los Angeles still answers to the eMe, collecting tribute and doing favors for the group so that it gets protection inside the California prison system. In return, the Mexican Mafia ensures that other Latino gangs under its umbrella do not encroach on MS13 territory, and it provides access to some drug wholesalers.

Meanwhile, the cliques along the East Coast have reportedly said they would like to shed the 13 from their name – the homage to the Mexican Mafia – a sign of independence and their own form of mini-rebellion. These same East Coast cliques are rudimentary, unsophisticated facsimiles of their Los Angeles and Salvadoran

counterparts and have become a near constant source of chaos within the gang's larger structure, even by the MS13's own standards. Notably, the MS13 has no control over the jails on the East Coast, and the leadership that is in jail is unable to impart orders to its underlings outside of prison.

In the end, the reality is that powerful cliques and programs still largely police themselves, and clique leaders very often steer the group's activities regardless of what the ranfleros say in El Salvador. In a separate US indictment unsealed in 2016 that targets several members of the gang along the US East Coast, Martínez Castro also talks of asserting more internal control and of killing one member he deemed a "traitor." (United States of America v. Oscar Noe Recinos García, et al. , 2016) He said he was going to consult with El Salvador to get the "green light" for the assassination. But the murder of the "traitor" never happened.

Violence: Method or Madness?

There is a telling section in the indictment of alleged MS13 members filed by El Salvador's Attorney General's Office as part of Operation Jaque. It comes on page 223 of the 1,355-page accusation against the gang's leadership in that country. The accusation says authorities tape recorded a gang meeting on February 21, 2016. In attendance were members of the "Federation" – the 30 or so leaders on the outside of prison – and several leaders from at least two prisons. (Operación Jaque, 2016)

The meeting lasted 10 hours, 21 minutes, according to the indictment. But there is an hour span in which the Salvadoran gang's so-called "Report Line" – the one that gives updates from the cliques and programs – provides information on different areas, and the MS13 leaders in jail have to make a decision on how to respond.

"Min. 02:18:15 GOOFY talks about Case 640 (possibly from La Libertad program) 'paro' LUCAS, who has screwed himself over and ended up becoming an 'L' (informant) and screwed over a few of ours, and they want to 'T' (kill him on site)," the minutes of the meeting transcribed by the Salvadoran government reads. "[Gang leaders] authorize homicide."

"Min. 02:30:10 GOOFY talks about Case 921 (possibly a clique from San Miguel) about a 'L' (informant) by the name of ROXANA, who they want to do a 'P' because she is collaborating with the 'G' (police)," another part reads. "[Gang leaders] authorize homicide."

And so forth. In all, the gang leaders authorized 14 homicides in a period of an hour. The reasons ranged from being suspected informants to "following" someone's mother. The targets were gang members, recruits, lookouts and civilians. In one part

of the meeting, the gang authorized the murder of five people. Lest we suspect this is an aberration, just five days later, in less than two hours in a similar meeting, the gang leadership authorized the murder of another 12 people, minutes from transcripts of another intercepted call in the indictment show.

The gang has tried, most notably via the “green light” system, to control this violence, but for many reasons this has not worked.

These examples illustrate the inherent contradiction within the gang as it relates to dispensing violence. Ostensibly, the MS13 has a system. The clique wants to kill someone, and so it develops a report that it sends to the leadership with an individual or, as in the case, through an intermediary body. The leadership listens to the case and then gives the go-ahead, or what is known as the “green light.” But as the Operation Jaque indictment shows, there is little thought or real discussion devoted to this topic, even when it reaches the hands the ultimate arbiters, where it is dispatched as quickly as one might to decide between ordering pizza or chicken.

In most criminal organizations, violence is a means by which the organization can further its other goals. And for the MS13, this is true as well. As noted, violence is used to help the gang secure rent. It is also a way of exerting social and political power, recruiting and evaluating its membership, and ensuring cohesion among its soldiers. But for the MS13, the violence has taken on a life of its own. It is the ultimate marker of sacrifice, commitment and masculinity.

The gang has tried, most notably via the “green light” system, to control this violence, but for many reasons this has not worked. To begin with, there is no consensus on who can issue a green light. Technically, cliques can authorize the murder of Barrio 18 members, anyone who physically attacks a clique member and any gang member who becomes an informant. In contrast, as one gang member told us, cliques must seek permission from the upper echelons of the gang to kill a policeman or member of the security forces, civilians collaborating with authorities against the gang and gang members who have committed a “serious offense” (“falta grave”).

But the MS13 leadership is dynamic, often in dispute and sometimes not even clearly ranked. There are also cliques who will only follow their clique leaders and not the program leaders, or even the ranfleros or shot-callers in their region. Just days after the meetings in which the gang opened the door for 26 homicides, it held another meeting that authorities tape-recorded. In this one, the discussion centered on reigning in the killings of policemen because the gang leaders “have no control.”

“Min. 06:00 Zorro said that when it comes to the G (police) whoever can [kill them] does and that is creating chaos (they have no control), they need to retake control, because there were 40 and not all of them were ‘simón’ (possible enemies),” the minutes read.

The latitude a clique leader has with his own group leads to mini-chains of retribution within the cliques. The semi-independent nature of the cliques can also lead to problems between them. Cliques compete to obtain revenue and power, and they can easily cross the lines of others' territory. Intra-gang squabbles like these are most often settled by the shot-caller or the ruling council. But there are no set guidelines to help them determine how they will decide the matter, and historical precedent and/or collective memory seem to be drawn from selectively.

The top-down system the gang seems to be trying to implement in El Salvador, with its Federation and Lines, is not a panacea either. It is meant to be a check on gang violence, but it very often leads to more violence. Take the example of when someone is green-lit. Failure to act on sight – or failure to report where a person may be so that others can take action – is considered an act of defiance or even treason. The result can be severe disciplinary action or possibly a death sentence, setting off a separate chain of retribution.

But it is difficult for the gang to interpret when someone lacked “commitment” and when someone refrained from acting against a green-lit target because it would have compromised other gang members. In some settings, such as in El Salvador, MS13 members must act against their rivals no matter the circumstances. But in some areas, especially in the United States where law enforcement is more effective and public cooperation in law enforcement investigations is more likely, there is less expectation that MS13 members will take immediate action against a rival gang member.

Other green lights are more ambiguous and depend on the character of the gang leaders in that area or even their mood. A gang clique may seek and be granted a green light for someone who is refusing to pay extortion, or they may be denied. In most areas in the United States, killing a civilian is something gang leadership takes very seriously because it will translate into more law enforcement focus on its activities. But along the US East Coast, this has been upended to a certain degree.

Other situations are complicated. Determining, for example, who is an informant is often as haphazard as any other decision in the gang and in situations of low-intensity conflict, like that of El Salvador, this transgression takes on new meaning. Law enforcement and civil society experts report that entire families have been evicted from MS13 areas because one member of the family collaborated with authorities, dated a rival or spoke to a policeman. This blanket charge has widespread repercussions. The gang has displaced thousands of families in Central America and has become a major push factor in the migration from the “Northern Triangle” countries of El Salvador, Honduras and Guatemala.⁴

⁴ To cite just one case, a 2012 academic survey said that 2.1 percent of the population of El Salvador – roughly 130,000 people – were displaced by “criminal threats;” the same survey in 2014 said 4.6 percent of the population, or 275,000 people, were displaced. (Cantor, 2016)

There are also more subtle confrontations, which gang members can interpret as challenging its authority. This encompasses a wide range of transgressions, perceived and real, which very often lead to violence. An example of a real challenge would be refusal to pay an extortion fee. An example of a perceived challenge would be wearing the wrong colors or attire in MS13 territory. For the gang, both transgressions require a firm response, but the ambiguity of the MS13's guidelines mean there is no uniform or consistent course of action in these situations. The response may also depend on other variables such as the place where the perceived transgression occurred, the number of transgressions by a particular person, the person who committed the transgression, and who the leader of the gang clique is.

The amorphous conceptual framework of the gang – that of *el barrio* and *las letras* – also lends itself to abuse and arbitrary application of justice and disciplinary action. The arbitrary and selective application of these rules is a major cause of rifts within the cliques and can have far-reaching consequences, law enforcement and civil society experts said. US prosecutors have pursued numerous cases of internal score-settling for both real and perceived transgressions in the United States.

Operation Jaque also provides an abundance of examples of this score-settling within the gang. From sexual harassment to snitching, gang members and others are killed in startling numbers and often for reasons that are not clear or that would have warranted far less punishment in other circumstances. In all these cases, decisions can be as much or more about personality and power dynamics as about innocence or guilt. What is clear from the above-mentioned examples of the meetings cited in Operation Jaque is that they are not carefully deliberated. Sentences meted out within the gang have an equally pernicious sliding scale. The gang's ambiguous and convoluted guidelines can protect an innocent on one level and lead to the death of an innocent on another – both inside and outside of the gang.

In the end, violence is a manifestation of the MS13's dysfunction and is one of the main factors that keeps it from reaching its full potential. To be sure, the gang does not always seem to measure the consequences of this violence on its activities or its ability to become a more sophisticated criminal organization. From El Salvador to Honduras, Los Angeles to Washington, DC, the gang has become a primary target of law enforcement and prosecutorial efforts. A review of dozens of court cases across the United States shows the pattern: public acts of violence with no deeper meaning or purpose other than an illustration of devotion to the gang, a manifestation of ruthlessness towards the outside world, or both.

There are, of course, exceptions. In Los Angeles, the MS13 is much less wanton and more careful. US law enforcement experts say this is because of the Mexican Mafia, which has a deeper understanding of how to build and maintain social capital and keep authorities from interrupting business because of violence. In El Salvador, the gang is training, increasing its capacity and professionalizing. But in places like

Long Island, Maryland and Massachusetts, the gang appears to be flailing with little purpose other than to commit barbarous, often symbolic acts of violence designed to exert social control and show “commitment” to the gang.

The MS13’s deployment of violence also undermines its credibility with other criminal organizations, some of which operate transnationally. Law enforcement experts say other criminal organizations see in the gang a large army with infrastructure, weapons and geographic reach. But they also see the gang as a disorganized, irresponsible, highly visible group that will put their operations in legal jeopardy. These other criminal organizations understand the gang’s emphasis is on its own, long-term survival, not financial reward, especially that of an outside organization. The result is that there are very few examples of alliances between the gang and transnational criminal organizations (TCOs), and notably, those that have arisen have unraveled quickly.

Criminal Migration: Master Plan vs. Opportunism

On September 13, 2016, Nisa Mickens and Kayla Cuevas were walking along a quiet Brentwood street when MS13 members driving by spotted them. Cuevas had allegedly challenged one of them in the hallway of their school, and the MS13 had “green-lit” her. Mickens had nothing to do with the altercation; she would become collateral damage of the gang’s haste to illustrate its dominance.

The MS13 members stopped their vehicles, got out and beat the two girls to death. They dragged Mickens body and left it near a fence on the edge of a school. They left Cuevas body behind someone’s house near a cul-de-sac a few yards away. (Cavallier, 2016) The two girls were beaten so badly, the police originally thought a car had hit them. The murders were part of a wave of MS13 homicides in Suffolk County, Long Island. Of 45 homicides in an 18-month span since the beginning of 2016, 17 were gang-related. (Sini, 2017)

In March 2017, US prosecutors in the Eastern District of New York named 13 suspects in the case. Six of those suspects, authorities would later reveal, had come to the United States very recently without a parent or a guardian. (Sini, 2017) They were part of a wave of what are termed “unaccompanied alien children,” or UACs. Between the years 2013 and 2016, over 210,000 UACs entered the United States, and many of them were placed in gang-ridden areas like Long Island.⁵

The number of UACs involved in this and other recent crimes in the United States has set off alarms. Many law enforcement experts consulted for this report give the impression that the gang is maneuvering like an army across borders at the behest

⁵ The Center for Latin American & Latino Studies drew from US government statistics to reach this tally. Asylum applications from El Salvador also spiked during this time period, reaching 11,742 in 2014, double the number in 2013, and triple the number in 2010. (Cantor, 2016)

of some all-powerful hierarchy. They point towards murder cases like that of Cuevas and Mickens, regular communications between the gangs' leaders, gang members migrating to areas to establish or rebuild dormant cliques, upticks in criminal activities in areas where migration is occurring at a higher rate and where UACs have settled, and other circumstantial evidence that reinforces this theory.

“The brutal murders of Nisa Mickens and Kayla Cuevas ... allegedly committed by these defendants, exemplify the depravity of a gang whose primary mission is murder,” United States Attorney for the Eastern District Robert L. Capers said when announcing the charges. “As the MS13 continues its efforts to expand and entrench itself in our communities, both by sending gang members to illegally enter the United States from Central America, and by recruiting new members from our schools and neighborhoods, this Office and the FBI’s Long Island Gang Task Force will continue our mission to dismantle the MS13 and free our neighborhoods from the terror they cause.” (United States Attorney’s Office, 2017)

This conception of the problem has implications that are political. The Trump administration has used the MS13 as a bogeyman to draw support for its policy of searching out and deporting more undocumented migrants. The UAC-gang connection is at the heart of the political rhetoric justifying this policy preference.

But the relationship of MS13 to migration is complex. While there is clearly some communication, coordination and, in some instances, intent to commit criminal acts across borders, there is little to suggest that the migration of members and potential recruits is controlled in a top-down, coordinated fashion. And while there appears to be a disproportionate number of UAC’s involved in recent gang activities, they represent a tiny fraction of the total UAC population.

We know that MS13 members migrate frequently. Every one of the gang members interviewed for this report had migrated, knew someone who had migrated or had members in their clique who had migrated. They also had family and friends outside of the gang who had migrated, increasing their own likelihood to migrate; and they lived in violent circumstances, which also increased their likelihood to migrate.⁶

Not surprisingly, then, migration is part of the MS13’s criminal economy. In parts of the United States, the gang has established reception points for migrants where they have kidnapped and extorted recently arrived migrants. In parts of Mexico, MS13 members act as lookouts and spies for other criminal organizations and corrupt officials that victimize migrants. They also steal from, rape and victimize migrants, while these migrants are in route and when they are in shelters. (Dudley S. , *Transnational Crime in Mexico and Central America: Its Evolution and Role in International Migration*, 2012)

⁶ Data from interviews from 2013 show that 72 percent of Salvadoran nationals who applied for asylum cited social violence as the reason for their flight, and 63 percent specified gangs as the source of that violence. (Cantor, 2016)

The MS13 also is communicating regularly across borders. Technological advances and a proliferation of communication channels mean gang members can communicate in dozens of ways, from the most primitive (passing what are known as “huilas,” or “kites”) to the more sophisticated (exchanging encrypted messages via international

There is no evidence that gangs determine or finance international migration.

texting services). Gang experts interviewed for this report cited instances of gang leaders speaking across a wide expanse that included El Salvador, Los Angeles, Houston and parts of Maryland, among other areas. At least one formal indictment against gang members in parts of the US East Coast confirms that this

communication is regular and has specific intent to coordinate activities of the gang, although in this case there is no reference to migration or migration policy. (United States of America v. Edwin Mancía Flores, et al., 2017) Nonetheless, in some cases, according to law enforcement experts, in intercepted messages gang members made specific references to the Obama administration’s openness to UACs.

Transnational communication is having a profound effect on the dynamics of the gang. To begin with, the MS13 is committing more transnational crimes. These include planning and executing murders, and moving illicit drugs, notwithstanding the small scale of these crimes. The gang’s leaders, especially those in El Salvador, also seem to be using communication technology to exert increasing influence over their members. Through a combination of calls to action, motivational speeches and direct and indirect threats, the leaders are establishing more command and control. (United States of America v. Edwin Mancía Flores, et al., 2017) The result has been an uptick in MS13-related violent incidents in many places in the United States that seem to have no other purpose other than to firmly establish this control.

MS13 leaders have sent members to other areas to commit crimes. As illustrated in several federal indictments in the United States, gang leaders have sent gang members from one state to another to commit murder. In numerous legal cases analyzed for this report, a gang member committed a crime, then fled across state or international borders whereupon he settled in the residence of another gang member or relied on gang support and/or contacts.

The MS13 has steadily spread to new areas. While the estimates of their overall numbers are static, MS13 members have actively sought to create new cliques in rural areas in El Salvador, as well as in mid-size and even small cities in parts of Long Island and California, among other areas.

This internal migration has coincided with a spike in the number of UACs arriving in the United States. Many of these UACs have settled in areas where the MS13 has a presence, and a significant number have been charged with crimes in or near the areas where they settled. (Jouvenal, 2017) Law enforcement experts consulted by InSight Crime said they believed there was coordination – from the top down – to

position these migrants. Some experts even said the migrants were “coached” by the leaders, so they could successfully get past US immigration officials.

Most of these experts told InSight Crime that this was spurred by MS13 leaders in El Salvador, that it was designed to strengthen the gang in the United States, and that this is giving the Salvadoran leaders a greater stranglehold on the gang as a whole.

Little evidence supports these propositions, however. Gangs follow migration patterns of other migrants. The gang members are settling in areas where other migrants have settled. These areas are constantly expanding and therefore the MS13 is spreading within them. Central Americans, who form the core of the MS13, migrate in huge numbers. The Salvadoran diaspora alone represents 2.1 million people, about a fourth of the population of that entire Central American nation. (Migration Policy Institute, 2015)

Gang members move for the same reasons that non-gang members move. These push-pull factors range from family and economic reasons to security and legal concerns. Gang members are just as susceptible to these pressures as their compatriots, and migrate for the same, complex variety of reasons that other migrants do.

There is no evidence that gangs determine or finance international migration. While gang experts pushed this idea of coordination and even “coaching,” InSight Crime has not encountered any evidence that gang leaders are making the final determination or financing this migration. Indeed, migration is normally the domain of the family – an intimate, multi-party decision that has ripple effects across various generations. (Morales Gamboa, 2013) (Pérez Sáinz J. P., 2007) And while the gang replaces this family in some respects, in others it remains an outsider. Migration appears to be one of those subjects.

That is not to say that the gang is not an important resource when members are migrating. In many cases, gang members will stay permanently or temporarily with another gang member. Gang members also rely on the same fixers, or “coyotes,” to move them across unknown or dangerous areas. But when they are migrating, they draw from financial resources of their families, not the gang’s resources. This why the ultimate decision is the family’s decision.

InSight Crime has not found a secret pipeline that gets gang members through these treacherous places at the expense of the clique or the ranfla. They are using the same infrastructure and facing the same risk as other migrants. They are also victims of crime when they migrate, and they will seek to hide their identity for reasons that can be nefarious and/or practical.

Communication between the diaspora and the home country has also always been strong. Cross-border connections exist because the gang was largely made up of

migrants. They communicate to their families and friends. Some of these relatives and friends are or become part of the gang's network, if not full-fledged members. Most do not, but that communication is a lifeline, so much so that it has taken on symbolic value both inside and outside of the gang. Vendors sell hats, T-shirts and other paraphernalia with the numbers "503," El Salvador's telephone country code, denoting a sense of national pride as well as nostalgia for home. Those numbers have also become a gang calling card. Differentiating between the two meaning – pride and nostalgia versus gang identity – has proven difficult for authorities and will continue to be. (Rose, 2017)

In conclusion, gang members move to the areas where there are already large numbers of migrants, for the same reasons as their non-gang affiliated compatriots. They face the same risks and pay for the travel in the same way – by rounding up money from their loved ones.

In fact, the gang appears to be taking advantage of circumstances, rather than proactively creating the conditions they can exploit. In Suffolk County, for example, about a quarter of those authorities identified as gang members are UACs. These represent about one percent of all UACs who were placed in the area. But prosecutors say they make up about half of the suspects in recent murder cases.

International Drug Trafficking: Gang Project vs. Entrepreneurism

On June 23, 2015, Jaime Alexander Monge and Larry Jesus Navarete were talking on the phone. Monge was in Arkansas. (United States of America v. Larry Jesus Navarete, 2016) Navarete was in the California state penitentiary system. The two were talking about Navarete's fledgling methamphetamine distribution business, which he was running from his prison cell. Monge was a distributor.

"Believe me 1/2 that I send you is better than what is (sic) what the others are selling there. They have already told me that the quantity that I send to the paisa (civilian) beat what the other people send over there," Navarete told Monge referring to the high-quality methamphetamine they believed they were selling in Arkansas, according to the federal records of the call.

Navarete is a member of the MS13. Authorities told InSight Crime that he was born in El Salvador but has resided in the United States for years and is a United States citizen. He relied on both local and international contacts to move small consignments of methamphetamine to Arkansas, Oklahoma and possibly other destinations in the Midwest.

Part of Navarete's network was his family. Navarete's wife packed the drugs in stuffed animals and sent them via the US Postal Service to Arkansas, according to

the indictment. Navarete used an MS13 member named Nelson Flores, alias “Mula,” who was based in Tijuana, Mexico, to get the drugs. Navarete also communicated regularly with a gang leader in El Salvador named Carlos Sandoval Batres, alias “Trusty.” Sandoval was in contact with the gang leadership, or ranfla, in El Salvador, but it was not clear how much the leaders knew about Navarete’s operations.

This may be because the other parts of Navarete’s network had little or nothing to do with the MS13. His distributors in Arkansas and Oklahoma were not gang-related. They came from contacts Navarete had made in prison, authorities told InSight Crime. Even Mula had distanced himself from the MS13. He seemed poised to enter or had already been inducted into the Mexican Mafia. Authorities said the Mexican Mafia, and not the MS13, seemed to be controlling the flow of drugs and the bulk of the proceeds, even if Navarete was sending small portions back to Trusty in El Salvador.

The network was typical of the MS13’s efforts to break into the international drug trafficking market. The gang is a small player. An individual’s gang affiliations were potential added bonuses to this arrangement, but the MS13 was not an essential element to any large-scale operation. Moreover, the MS13’s involvement appeared contingent on the involvement of an intermediary like the Mexican Mafia. In other words, the MS13 could play a role in this distribution and delivery service but its participation was not vital to the success of that other organization or even that of the intermediary.

The gang’s efforts to break into this market date back nearly two decades, and all of them bear the same hallmarks as the Navarete case. In the early 2000s, the MS13, under the leadership of Nelson Comandari,⁷ reportedly offered itself to the Mexican Mafia as a drug distribution network throughout the United States. And

The MS13 is still far from constituting a drug cartel or anything like it.

according to a US federal indictment, Comandari’s network trafficked and sold heroin, cocaine, crack cocaine, crystal methamphetamine and marijuana. (United States of America v. Nelson Augustín Martínez Comandari, 2008) Comandari’s father-in-law was reportedly a member of the Mexican

Mafia, (Martínez C. a., La letra 13, 2012) and, according to the journalist Tom Diaz, Comandari’s forebears were prominent military and government officials in El Salvador. (Diaz, 2009) Comandari was even referred to as “the CEO” of the MS13 and was allegedly slated to be sworn into the Mexican Mafia before he was captured in Houston in 2005. He has now reportedly become a law enforcement informant. (Diaz, 2009)

⁷ In some parts of its federal indictment of Comandari, the US Attorney General’s Office spells Comandari’s name as Commandari.

Comandari resembles a later effort by Moris Alexander Bercián Machón, alias “El Barney,” referenced earlier in this report. (Dudley S. , MS-13’s ‘El Barney’: A Trend or an Isolated Case?, 2013) Barney was the leader of the powerful Normandie Program in El Salvador. The United States Treasury Department has listed him as a specially designated target. He was arrested with six kilograms of cocaine in 2009, but later released. He has been subsequently connected to larger cocaine loads moving through his area of influence along the Pacific Coast of El Salvador and bordering Guatemala.

Like Comandari and Navarete, Barney had a ready-made network outside of the gang that appears to have facilitated his entry into this international criminal market. Barney’s father is a former army officer and owner of a transportation business who has been connected to what is known as the Taxis Cartel in El Salvador. This cartel helps transport drugs through El Salvador and launder money for other drug trafficking organizations. Like Comandari, Barney entered the market via that avenue. His principal partner is his brother, who is not a gang member, according to MS13 members. And he appears to be using the gang as labor and in a support role, rather than in key operational posts.

More recent examples reinforce this pattern. Around 2011, MS13 member Luis Gerardo Vega, alias “Little One,” was part of an effort to engineer an arrangement between the Familia Michoacana Mexican drug organization and the Mexican Mafia to traffic and distribute methamphetamines in the United States. (García, How the MS13 Got Its Foothold in Transnational Drug Trafficking, 2016) For his efforts, the Mexican-born Vega was rewarded with the highest honor: becoming a part of Mexican Mafia. However, just as these efforts were getting off the ground, Vega was arrested in the United States, along with numerous other members of the scheme. His status as a Mafia member is in dispute since the person who ushered him into the organization was found to be an informant and helped authorities undo the arrangement with the Mexican criminal group.⁸

Another network of MS13 members operating in California also used the Mexican Mafia’s leverage and contacts. (García, How the MS13 Tried (and Failed) to Create a Single Gang in the US, 2016) Beginning in 2013, José Juan Rodríguez Juárez, alias “Dreamer,” attempted to create what he called a “national program.” (United States of America v. José Juan Rodríguez Juárez, 2015) This program would group all MS13 under his umbrella, and he would use the presence of the gang to distribute drugs that would be supplied by the Mexican Mafia from its drug trafficking contacts in Mexico. It was, in other words, a more sophisticated, top-down approach than Navarete’s efforts and relied much more on the gang for its infrastructure and operations. But that too was dismantled, and Rodríguez arrested.

⁸ During the process in which the arrangement was being hammered out, La Familia Michoacana split. The most prominent offshoot, known as the Caballeros Templarios, or the Knights Templar, took its place in the deal.

Just as the MS13 can offer advantages to a would-be international drug trafficking partner, it can also be a huge liability. It is a highly visible and regular target of law enforcement, mostly because of its penchant for violence. It is unreliable and for the most part not well trained. It is loyal only to itself and regards pure profit motive with suspicion, since it can distort the priorities of the gang member who is seeking financial gain and can put many at risk for the gain of a few. Finally, gang members caught up in outside schemes are ready-made witnesses to crimes since their loyalty lies with the MS13, not the outsiders contracting them.

There are other connections between the MS13 and drug trafficking organizations worth considering. Powerful cliques of the MS13 in El Salvador have provided protection services for international drug trafficking organizations. In Nueva Concepción in Chalatenango in northern El Salvador, for example, the Fulton Locos clique ensured safe passage for drugs controlled by the Taxis Cartel, one of the two major Salvadoran drug trafficking organizations. (Silva, 'Medio Millon,' *El Salvador Mobster, Lived in Boston Until 2009*, 2013)

In parts of El Salvador and the United States, the MS13 also provided some logistical support for the Perrones, the other major drug trafficking organization in El Salvador. This support happened at the beginning and the end of the drug chain in parts of El Salvador and in local markets in Maryland or New Jersey. However, the gang never controlled the flow of finance or the international transport of cocaine. (Silva, *Infiltrados: Crónica de la corrupción en la Policía Nacional Civil de El Salvador*, 2014)

In Honduras, the gang has developed ties to at least one figure with connections that reach to Colombia. (Dudley S. , *Is Honduras' MS13 a Drug Trafficking Organization? An Obscure Fugitive May Have the Answer*, 2016) And some gang researchers claim the MS13 is working hard to control drug routes in the areas surrounding San Pedro Sula, Honduras, which Douglas Farah and Kathryn Babineau say is a "strategic decision by the gang leadership." (Farah, 2017)

The assertion touches the center of the debate: to what extent is this a top-down decision? And the debate's vital corollary: to what extent is any part of the gang capable of controlling its members beyond the local level?

In this regard, we maintain that – in spite of these troubling tendencies – these are still isolated examples. In our view, it's not possible that this criminal activity is done as part of a larger plan by any leadership structure on a regional level. This is mostly because there is no leadership structure that is capable of controlling and disciplining its members across a vast geographic expanse. To be sure, a clique's relative autonomy and the gang's diffuse structure make it more likely that all of this is done on the clique and possibly even the individual level.

In fact, these organizational qualities explain why the MS13 has never been able to penetrate in any meaningful way the international drug market. In other words, the same organizational qualities that make the gang a formidable criminal structure –

independent cells that respond as much or more to their local leadership, and that can quickly reproduce – are what inhibit it from developing into a sophisticated criminal organization capable of creating a vertically integrated drug trafficking organization.

In conclusion, it is possible that specific cliques are associated with international drug traffickers, and that some leaders and even cliques are working with them on a very low level. But these are the exceptions, not the rule. The MS13, it appears, is still far from constituting a drug cartel or anything like it. Instead, parts of the gang seem to be taking advantage of these disperse, dynamic connections for short periods of time before the network is dismantled. Until a clear hierarchy emerges, there is little reason to believe that this will change.

Navarete himself learned this as well. The net closed quickly on him and Monge. In 2015, authorities arrested Monge, Navarete’s wife and several other people connected to the network. In 2017, Navarete was sentenced to 20 years in a federal prison. (United States Attorney’s Office, 2017)

Gang Truce: Social vs. Criminal Capital

Dany Balmore Romero García was sitting in class at a vocational college in El Salvador when he got a message from a friend. On the news, they were saying the US Treasury Department had included him on its Kingpin List, calling him a leader of the MS13. (United States Treasury Department, 2016) It was February 2016, and Romero would say later to a reporter working with InSight Crime that he was stunned, that he had been “calmado” for over a decade, and that he had been working to integrate gang members into society, not to foment the MS13’s criminal enterprise, as the US government claimed.

“The only thing I’ve done as a human rights activist is to seek transparency and legal mechanisms necessary for the rule of law,” he would say in a private video he made the night of the Kingpin designation, which he shared with the reporter. “I hold the director of the Treasury Department responsible for any harm done to me and my family.” (Phillips, 2017)

Romero’s case was a sensitive international matter. At the time of the Treasury Department’s designation, he was working with two non-governmental organizations, one of which was funded by a prominent German foundation. He had a relationship with members of the diplomatic community, including officials at the British embassy in El Salvador. His work was supported by academics and researchers who would vouch for him later in public declarations.

But he was also connected to the ranfla, communicating regularly with its top tier, passing messages and seemingly coordinating movement of the gang in the criminal

realm, the Salvadoran government would later allege. Romero would argue that it was part of his work with *calmados*. Prosecutors say he was playing both sides, building the gang's social standing and criminal capability via his connections to civil society, academia and diplomats.

The case struck a nerve. The MS13's direct participation in non-governmental organizations has become a source of debate and several important legal cases in the region, including Romero's. Confusion is in part due to the difficulty of distinguishing who has completely retired from gang activities versus those who have only semi-retired.

But it also cuts to the center of a debate about how to best to deal with the gang and who is best equipped to do so. Traditionally, the core response to the MS13 has been "mano dura," or "iron fist," policies that emphasize law enforcement and prosecutorial efforts. Not surprisingly, most of the law enforcement experts we interviewed advocate for this approach and see Romero as part of a gang plan to further its criminal enterprises via its connections to these social entities. However, others, especially the civil society experts, wonder whether we need more Romeros – trustworthy interlocutors who understand and can work with gang members to integrate them into society.

The debate is not limited to El Salvador. In Los Angeles, it also played out in dramatic fashion when US authorities arrested and charged Alex Sánchez in 2009, for racketeering and associated charges including conspiracy to commit murder. (United States v. José Alfaro, et al., 2009) At the time, Sánchez was also a former MS13 leader who purportedly left the gang years prior and started Homies Unidos, an organization that works on violence prevention by giving education and job training programs for at-risk youths, as well as other services such as tattoo removal.

Sánchez fought the indictment, which cited taped telephone conversations in which he allegedly called for the murder of a gang member in El Salvador. Like Romero, he received strong support from religious, non-governmental and some government representatives who vouched publicly for his integrity and hard work towards reducing gang activity. The charges were eventually dropped, but many law enforcement experts still wonder whether Sánchez is working with rather than against the gangs. Meanwhile, with Sánchez at the helm, Homies Unidos remains a pillar program for at-risk youth.

In El Salvador, the debate over the gang's social capital is manifest in the Romero case. Romero joined the MS13 at a young age and rose to become a leader both inside and outside of jail. In the early 2000s, he says, he left gang life for good and became part of a non-governmental organization known as Optimismo, Paz, Esperanza, Renovación y Armonía (Optimism, Peace, Hope, Renewal and Harmony), or OPERA, which promotes alternative paths for gang youths to express themselves artistically

and escape gang life. As battles between police and gangs became more frequent, the organization also began to systematically chronicle state abuses, most notably extrajudicial executions by members of the police and their death squad proxies.

For this work with the NGO, Romero became an important interlocutor for other organizations seeking to work with vulnerable youths in the gang and attempting to negotiate what would eventually become known as the gang truce – the tripartite pact between the government and the country’s two largest gangs that started in March 2012.

The gang truce that Romero helped broker elevated concerns about the gang’s rising social and political capital. (Farah, 2017) The truce was a complex arrangement brokered by an ex-guerrilla turned congressman and a right-leaning bishop of the Catholic Church in El Salvador. Their work was sanctioned by the presidency and the erstwhile security minister, a military general who would eventually have to leave the post in large part because of his role in fomenting the truce.

The truce had an immediate impact on security: homicides dropped by almost half. (Katz, 2016) However, President Funes never fully embraced the pact, and the government never fully sought to create a legal framework for it. Other important actors publicly rejected it, including the Catholic Church hierarchy, the US government and some business elites and opposition politicians. The result was a pact that was adrift, on its own island.

To make matters worse, the quid pro quo between the gangs and the government was never made public. Gang leaders were moved out of maximum-security prison into the regular prison system where they could better control the mid-level gang leaders and ensure they were not committing or ordering homicides on the outside. What they received in return is unknown, but there were reports the leaders got one-off or even regular payments from the government. (Farah, 2017) The jails also got flat-screen televisions and a steady influx of Pollo Campero to placate the imprisoned homies. For the general population, little changed. Homicides had dropped significantly, but other gang criminal activities, most notably extortion, continued without pause.

Most troubling was how the truce swapped homicides for political capital. The gangs’ adherence to the pact gave them unprecedented power and access to the political parties, which had long before realized they needed gangs to win elections. Authorities once estimated the country’s most powerful gangs – the MS13 and the Barrio 18 – could control as many as 500,000 votes, about 10 percent of the electorate. (Dudley S. , El Salvador Gangs and Security Forces Up the Ante in Post-Truce Battle, 2014)

The truce was the public manifestation of this reality, and behind the scenes,

politicians negotiated other, truce-related benefits for gang leaders who guaranteed votes in municipal and national elections. (Martínez J. J., 2016) These benefits included promises of money for the creation of social and economic programs that would be channeled through gang-run organizations.

On the municipal level, the arrangements often were even cruder.⁹ Gang members were given jobs, and, combined with money gang leaders allegedly received for their participation in the truce, may have significantly increased their earnings. (Farah, 2017) In one of the most extreme cases we chronicled, the mayor gave gang members (from a faction of the Barrio 18) proceeds from extra taxes; real and phantom jobs in the municipal government; protection services from local authorities and a promise to steer clear of gang business; and use of municipally-owned vehicles to transport gang members, weapons and drugs. (Puerta, 2017)

On both the national and local levels, the truce was to be the culmination of the gangs' rise in political and social stature. However, the pact fell apart, the political agreements were not honored or came under judicial scrutiny, and truce brokers like Romero were investigated.

Salvadoran authorities tracking Romero's movements, his cellular phone conversations and his meetings, say that Romero never left the MS13. Instead, they claim, he remained an important gang leader who assisted the gang's efforts to establish firm control over its cliques and its budding criminal economy. (Phillips, 2017) He was arrested as part of the Operation Jaque in July 2016.

Arrests and judicial cases have since vilified the low-level operators or most visible actors who participated in the truce, while ignoring the high-level political participation of both major political parties. (Silva, El Salvador Govt Turns Blind Eye to Its Own Deals with Gangs, 2016)

However, the gang's political capital has not disappeared, and its ability to react and wage war on those who they say betrayed it has become an international issue and one that has changed the dynamic of the MS13 throughout the hemisphere. The ability of the gang to create a command and control in the ranfla in the jails in El Salvador during the truce and flex its political and social muscles via the elections has given that group of leaders unprecedented strength. And, as is evident on the US East Coast, they seem to be using that capital to try to exert their control over the entire gang structure.

9 The growing relationship between the MS13 and municipal power was also evident in Honduras in a recent case where the gang became a major partner with the mayor of a municipality north of Tegucigalpa, buying him a tractor in return for top-cover. Authorities told InSight Crime that the gang wanted to finance the mayor's next political campaign for congress. See: Steven Dudley, "Is Honduras' MS13 a Drug Trafficking Organization? An Obscure Fugitive May Have the Answer," InSight Crime, 2 May 2016. Available at: <http://www.insightcrime.org/news-analysis/is-ms13-in-honduras-a-budding-dto-an-obscure-fugitive-may-have-the-answer>

The question is how to respond to the gang. Authorities have routinely emphasized a law enforcement approach. From *mano dura* in Central America to more recent efforts in the United States to round up alleged gang members, the focus has been on arresting or removing gang members from the communities where they operate. However, that approach has not worked. The MS13, now nearly 40 years old, continues to operate and some would say thrive. It seems time to try alternative ways of thinking through this problem. In that regard, we have offered some modest suggestions to begin that discussion.



Policy Recommendations

Picture by Esteban Felix/AP Images

Make it a multi-party solution. The MS13 is a complex social group with extremely violent tendencies. As such, we believe solutions to this problem need to address social exclusion and lack of opportunity as much or more as they do the law enforcement challenges posed by the gang. This includes working closely with former gang members, churches and other non-governmental organizations that work with marginalized youths, as well as attracting business leaders, private industry and other commercial interests to play active roles.

Give youths a choice. Young people are seeking a community, someplace to feel safe. Create that space by working with NGOs, schools, churches, parents and other members of the community. Do not paint youths into a corner by marginalizing and vilifying them or their community. Some of these youths are on the edges of gang activity, are not full-fledged members and do not want to be full-fledged members. It is necessary to identify them, separate them, and expend resources working with them.

Open dialogue with the elders and be open to alternative solutions. The older the gang member is, the more opportunity there is for them to lead dialogue, rehabilitation and outreach to younger gang members or wannabes. Older gang members serve as the leaders and the elderly statesmen of the gangs. Convince them to participate in social rehabilitation and economic programs, and you will have a much better chance of doing so with the younger members. Criminalizing them has not worked. It's time to open the door to alternatives.

Don't isolate gang-riddled communities. Criminalizing immigrant communities undermines efforts to stop the violence and illicit activities generated by gangs. Those entering gang life often do so because they are searching for

protection. If you provide them with that protection before the gang does, you can win that race. What's more, if you inspire confidence instead of fear, you will win the local community who will be your best eyes and ears going forward.

Focus on the most violent offenders. While the MS13 seeks to spread responsibility for its violent actions and encourages illustrations of “commitment,” there are still differences among them and those that seek a way to debilitate the power of the most violent members of their gang. Show those potential collaborators that you understand the gang, its dynamics and know who are the most egregious offenders.

Don't look for a master plan. The MS13 does not have one all-powerful leader or hierarchy calling the shots. It has numerous power centers, which are dynamic. Cliques and programs surge then wane. Leaders grow powerful, then lose that power. None of this appears to be coordinated from any one location nor is it necessarily making for a more sophisticated gang. The gang is more organic than hierarchical. Treat it as such.

Look for entrepreneurs. We have been able to document various attempts by the gang to become a more integral part of the drug trafficking distribution chain. However, none of these have come to fruition, nor did they last for any extended time period. All these efforts were led by entrepreneurial members who used parts of the gang infrastructure as well as outside contacts to become players in the international drug distribution market. If the gang is to transform itself into a transnational criminal organization, this is the profile of the leader that will do it.

Urgently address prison reform. The jails in both the United States and El Salvador are critical components of the operational structure of the gangs. This is largely due to the poor control authorities exert over the gang members in jail, and the extreme vulnerability of prisoners inside these jails and their families outside of them. Without prison reform, the gangs will continue to exert power over their membership.

When searching for gang migration patterns, follow general migration patterns. Criminal migration is real. There are gang members moving between countries and within countries. There are gang members that are housing other gang members when they are fleeing law enforcement or rival gangs. There are gang members who are looking for loopholes in US immigration laws and spinning stories about being victimized. But this does not appear to be part of a master plan, nor is it coordinated from some central headquarters. Gang members appear to move in the same patterns as the rest of the population, and many of them move to escape the gang and the violence associated with it.

Stop making the gang a political actor. Gangs are political in as much as we make them so. For different reasons, federal government responses to the MS13

have made it a political actor. In El Salvador, the government opened the door to a truce between the gangs, which gave them unprecedented political space and protagonism. In the United States, the federal government has made the MS13 a center-point of its immigration policy, which has bolstered the gang's image as the most feared gang in the region. The gang will take advantage of this political capital when it is handed to it.

Annex I: The Problem With Counting the MS13

The MS13 is one of the largest gangs on the planet with a presence in two continents and thousands of full-fledged members. However, estimates of the size and scope of the gang vary widely. (Seelke, 2016) For many reasons, those variations are impossible to reconcile, but the wildly divergent estimates have helped transform the gang into a political football to be used by law enforcement agencies and politicians alike for their own ends, often in ways that are counterproductive to resolving the core issues that lead to the emergence and growth of the gang.

In the United States, the generally accepted and most oft-cited number of MS13 members is between 8,000 and 10,000. The origin of this estimate is hard to track, but it dates at least to the 2009 Federal Bureau of Investigation (FBI) National Gang Threat Assessment (NGTA). (Federal Bureau of Investigation, 2009) Internationally, the FBI estimates the gang has between 30,000 and 50,000 members. Authorities, academics and others in the countries with an MS13 presence are even less precise. Security forces from El Salvador, for example, say there are somewhere in the range of 30,000 to 40,000 MS13 members in El Salvador, but there is no known survey or empirical process they used to arrive at this estimate.

There are several possible reasons for these wide-ranging estimates.

First, there is a question of law enforcement capacity and experience. Some areas have more experience with gangs and more resources dedicated to dealing with gangs, which gives them the tools to better identify gang members and gang-related criminal activities.

Second, estimates of the number of gang members are strongly influenced by politics. Authorities who want to lessen the perceived impact of gangs may give lower estimates. “Many cities and counties purposely don’t report statistics on gang activity, especially in areas where tourism is a major industry,” *Police Magazine* wrote following release of the 2011 NGTA. “Politicians routinely cause gang crimes to be under-reported as a basis for claims that their current administration is effectively reducing criminal activity, when nothing could be further from the truth.” (Valdemar, 2012) In our data collection, we found the opposite could be true as well: Law enforcement could inflate the number of gang members. Gang experts suggested that higher numbers of suspected gang members could increase chances of receiving resources to deal with the issue.

Third, there are inherent biases built into these estimates. A Justice Policy Institute analysis of law enforcement surveys versus the National Youth Gang Survey, for example, said there was a tendency to underestimate the number of white gang members and to overestimate the number gang members of color. This was, in part, related to the perception that gang members of color were less likely to leave

gangs when they enter adulthood. “The mental gymnastics required to square law enforcement gang estimates with youth survey data are convoluted, forcing us to carefully consider the possibility that the law enforcement estimates are simply wrong,” the authors say. (Greene, 2007)

Fourth, there are slippery legal issues connected to gangs. These legal issues center on determining who is a legitimate target, how to register or classify that target, and what to do with that target. This battle plays out when authorities create, for example, “gang databases,” lists of individuals law enforcement authorities consider gang members. Civil rights advocates contend, however, that there are no clear criteria for inclusion on these lists. What’s more, once someone is on a list, it is very difficult to get removed.¹⁰ In place of databases, authorities often turn to gang injunctions, which enhance penalties for gang-related crimes and attempt to limit gang members’ public interactions with one another. But they too face legal challenges.

At the heart of the problem is how to define who is a gang member. As the FBI itself says in its 2009 NGTA, “One of the greatest impediments to the collection of accurate gang-related data is the lack of a national uniform definition of a gang used by all federal, state, and local law enforcement agencies.” (Federal Bureau of Investigation, 2009) The National Gang Center notes that 44 states and the District of Columbia have their own definition of “gang,” 11 states have their own definition of “gang member,” and 31 states specifically outline different things that constitute “gang crime/activity.” (National Gang Center, 2012)

Foreign law enforcement agencies consulted for this report had even less standardized criteria. In many interviews, the gang experts’ dividing point for determining who was a member of a gang was whether a suspect had committed a crime in the name of the gang or for the express purpose of the gang. The National Gang Youth Survey of law enforcement agencies echoed this finding: Those surveyed said the most important “characteristic” in defining a gang is that they “commit crimes together.” They also said displaying gang symbols – such as tattoos, colors – was the most important means of “designating gang membership.” (National Gang Center, 2012)

The definition of gang is also evolving. In its 2009 NGTA, the FBI used the definition from the National Alliance of Gang Investigators’ Associations (NAGIA): A gang is a group or association of three or more persons with a common identifying sign, symbol, or name who individually or collectively engage in criminal activity that creates an atmosphere of fear and intimidation. But in its 2015 National Gang Report, that definition had become broader: Street gangs are criminal organizations that formed on the street and operate in neighborhoods throughout the United States. (Federal Bureau of Investigation, 2015)

¹⁰ See the National Gang Center’s list of databases here: <https://www.nationalgangcenter.gov/Legislation/Databases>

The list of academic definitions of gangs is also long and varies widely. Some definitions focus on how gangs congregate, are territorial, and commit crimes together. (Kinnear, 2009) Some highlight the loose, flexible organizational structures of street gangs, the informal roles their members take and the lack of loyalty demanded from the gang. (National Gang Center, 2012) And some emphasize the rudimentary criminal portfolios gangs tend to develop. But there is little consensus of what a gang is, who is a gang member, and what are gang crimes.

Even within American University's NIJ-sponsored research, different investigators have divergent approaches. Criminologists in the project define gangs as: Any durable, street-oriented group consisting primarily of youth or young adults, whose involvement in illegal activity is part of their group identity. At InSight Crime, by contrast, we define gangs more narrowly as: *A group of people – usually young and from a low socioeconomic background – that is made up of relatively autonomous cells, each with a clearly identifiable leader. These cells define themselves, in part, around constant, reciprocal violence against other groups of youths. It is this conflict that makes them a cohesive organization, and that is the means for establishing internal hierarchies and awarding status and power.*

Annex II: Glossary

Avión	Drunkenness, alcohol binge.
Banderas	Lookout, often aspiring gang members.
Bato or Vato	Guy, dude.
Bicha/o; Bichona/o	(1) Woman or girl; (2) Term also used in reference to a rival gang member.
Bola	(1) A bag of marijuana or other narcotics; (2) A cash sum.
Brincar	(1) To jump (literally); (2) to initiate into a gang.
Brinco	The act of being initiated into the gang.
Bruhder	Brother, term of endearment.
Cabal	Exactly.
Caliche	Slang.
Caminar	(1) To walk (literally); (2) to be an active gang member.
Cantón	Neighborhood.
Carneada	Body of a victim.
Cerote	(1) Dumb, imbecile; (2) grave offense (insult); (3) drugged person; (4) excrement.
Chambre; Chambrosa/o	Gossip, gossiper.
Chavala	(1) Girl; (2) term also used to refer to a rival gang member.
Chequeo	Aspiring gang member.
Chivear	(1) Flirt or tease; (2) to mess around.
Cholo	A male gang member.
Cipote	Young kid, youth. (El Salvador)
Cipota/e	Young girl or boy.
Clecha	Savviness, cunning.
Clica	Gang clique.
Cliquear	Hang out, establish a presence. (Los Angeles)
Correr	‘Run with,’ be a part of.

Cortes	Internal proceedings to judge internal transgressions.
Criteriados	Protected witnesses.
Culera/o; Culiar	(1) Homosexual, (2) coward (insult); (1) To be slick, tricky, (2) engage in sexual relations.
Destroyer	House, apartment or warehouse used by the gang for meetings, parties and other gang business.
Falta grave	Serious or major offense, usually warranting internal judgement by the gang.
Haína	Girlfriend, female.
Homeboy	Clique or gang companion (masculine), often a term of endearment similar to bruhder.
Homie	Fellow, fully initiated (brincado) gang member.
Loca/o(s)	Crazy girl or boy, gang member.
Locura	Craziness, but a reference to dedication to the gang.
Mara	A group of people or someone who belongs to the Mara Salvatrucha.
Marero	A gang members, usually in reference to someone from the MS13 (Barrio 18 uses the term pandillero).
Mirin	Meeting.
Mitin	Meeting.
Mojar	To kill.
Morra/o	(1) Girl or boy; (2) underage person.
Narco	Drug trafficker.
Onda	(1) Thing; (2) Mood, attitude, groove.
Palabra	(1) Word; (2) Approval.
Palabrero	Leader of a gang clique.
Paloma	Difficult, strenuous.
Pegada	(1) A hit; (2) an assassination.
Pesetas	(1) Former gang members; (2) traitors.

Placa	Individual information.
Placazo	Graffiti, tag (usually including oneself).
Postes	Lookouts, sometimes gang wannabes.
Rana	Soldier.
Ranfla/Ranflero	1) Ranch, (2) The national gang leadership; gang leader (masculine).
Reggaeton	Uzi submachinegun.
Shot-caller	Maximum leader.
Taka	Pseudonym – often only name your fellow gang members know.
Tirar línea	Give orders.
Vergón	(1) Truly, really; (2) used to quantify a large or excessive amount.
Zapateada	A beating.
Zopes	Police.

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Investigative Team

InSight Crime Co-director **Steven Dudley** was the co-principal investigator of the project, lead the qualitative research and wrote this report. InSight Crime's **Héctor Silva Ávalos** did significant research in El Salvador and the Washington DC area, and assisted in writing and editing the report. Anthropologist and journalist **Juan José Martínez** led the El Salvador portion of the research and helped edit the report.

The Director of the Center for Latin American & Latino Studies (CLALS) at American University, **Eric Hershberg**, provided constant feedback during research and writing portions of this project, in particular with this final report. **Dennis Stinchcomb** at CLALS was the key administrator, providing critical logistical support and encouragement throughout the project's duration.

Mike LaSusa, **Josefina Salomón** and **Ronna Rísquez** helped edit, copyedit and coordinate the publication of this report. **Elisa Roldán** and **Ana Isabel Rico** did the graphics. **María Luisa Valencia** and **Diego García** translated it into Spanish.

Edward Maguire was also a co-principal investigator and led the quantitative research team, which included numerous key participants, among them: **Charles Katz**, **Lidia Nuño**, **Maya Barak** and **Kenneth Leon**. Their findings will be published separately.

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InSight Crime
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Organizations

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InSight Crime is a foundation dedicated to the study of the principal threat to national and citizen security in Latin America and the Caribbean: organized crime.

We fulfill this mission by:

- providing high quality and timely analysis of news events linked to organized crime in the region;
- investigating and writing reports on organized crime and its multiple manifestations, including its impact on human rights, governance, drug policy and other social, economic and political issues;
- giving workshops to journalists, academics and non-governmental organizations on how to cover this important issue and keep themselves, their sources and their material safe;
- supporting local investigators through these workshops and by publishing, translating and promoting their work to reach the widest possible audience;
- developing a region-wide network of investigators looking at organized crime;
- presenting in public and closed-door sessions to governments, non-governmental organizations, academics and stakeholders on best practices, strategies and pitfalls in implementing citizen security policy on the ground.

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