

# **North American Youth Gangs: Patterns and Remedies**

Testimony of

Stephen C. Johnson

Senior Policy Analyst for Latin America

The Kathryn and Shelby Cullom Davis  
Institute for International Studies

The Heritage Foundation

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Mr. Chairman and distinguished Members of the Committee, thank you for inviting me to testify on this important topic.

Throughout history, youth gangs have flourished wherever there have been population shifts and unstable neighborhoods. However, recent growth in numbers and global affiliation of gangs pose a public security threat. Gangs that flourished in Los Angeles during the 1960s now have fraternal links to some 130,000 to 300,000 members in Mexico and Central America and have expanded across the United States to both major cities and rural communities in the eastern seaboard.

Activities range from defending neighborhood turf to armed robbery, extortion, alien smuggling, arms and drug trafficking. Their transnational nature is facilitated by fluid migration across porous borders, incarceration with experienced criminals in U.S. prisons, and weak rule of law in Mexico and Central America. Although no hard evidence links them with terrorist networks, transnational gangs could provide a source of willing young collaborators.

To date, mostly piecemeal measures have targeted symptoms without attacking root causes. To reduce gang violence, policymakers at all levels need to identify factors that destabilize neighborhoods. Local officials should design programs to deny time and space for gang activities. The White House and Congress should consider migrant labor reforms to reduce the chaos associated with undocumented transient populations, while the Departments of Justice and Homeland Security can help improve coordination between various law enforcement agencies.

Overseas, U.S. assistance programs should promote the rule of law, economic reforms to boost employment, and pro-family policies, as well as cooperative security links between countries and enhanced security on borders. Overall, there must be a comprehensive, coordinated approach on border security and migration with Mexico and Central America.

### **Growing Problem and Related Factors**

Gangs represent a tiny fraction of the general population. Authorities have estimated there are only 700,000 street gang members compared to some 280 million American residents. Yet the disproportionate growth and violence of gangs is now a major concern of law-abiding citizens. The number of cities reporting gangs went from 270 in 1970 to more than 2,500 in 1998, an increase of about 800 percent.<sup>1</sup> In 2002, the National Youth Gang Survey (NYGS) estimated that there were 21,500 gangs and 731,500 active gang members in the United States, 85 percent of whom reside in large cities.<sup>2</sup> However, gangs are present in rural areas as well—27 percent of municipalities between 2,500 and 49,999 people now have had trouble with gangs.<sup>3</sup>

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<sup>1</sup> History of Youth Gangs: Department of Justice, Office of Juvenile Justice and Delinquency Prevention, "Youth Gangs: An Overview," *Juvenile Justice Bulletin*, August 1998 at <http://ojjdp.ncjrs.org/jjbulletin/9808/history.html> (December 3, 2004).

<sup>2</sup> The NYGS is a nationally representative sample drawn from law enforcement agencies. See Arlen Egley, Jr., James C. Howell, and Aline K. Major, "Recent Patterns of Gang Problems in the United States: Results from the 1996-2002 National Youth Gang Survey," in *American Youth Gangs at the Millennium*, Finn-Aage Esbensen, Stephen G. Tibbetts, and Larry Gaines (Long Groves, Illinois: Long Groves Press, 2004), pp. 103-104.

<sup>3</sup> Arlen Egley, Jr., James C. Howell, and Aline K. Major, "Recent Patterns of Gang Problems in the United States: Results from the 1996-2002 National Youth Gang Survey," p. 97.

Most of the trouble starts with unstable neighborhoods. Broken homes, violent role models, and access to drugs feed gang growth. A long-term study that tracked some 800 juveniles in Seattle, Washington from 1985 to the present, found that:

- Youths living where acquaintances were in trouble were 3.0 times more likely to join gangs.
- Children living in single-parent families with other adults were 3.0 times more likely to join gangs than youths in two-parent families.
- Youths with low academic achievement were 3.1 times more likely to join. Poor academic performance and low commitment to school correspond to gang membership.
- Juveniles who associated with delinquent friends were 2.0 times more likely to join.
- Children who used marijuana were 3.7 times more likely to join gangs. Youth who engaged in early violent behavior were 3.1 times more likely.

Moreover, all of these factors were cumulative.<sup>4</sup>

**Migrant communities.** People forced to move as a result of difficult circumstances—whether internally or from another country—seldom have much choice but to settle in disorganized, transient neighborhoods. Foreigners unprepared to compete in an adopted society find survival and integration especially tough. Children may be scattered. In 2004, U.S. authorities caught some 10,000 unaccompanied juveniles trying to cross the southwest border hoping to join relatives already in the States.<sup>5</sup> Gangs offer stability, identity, status, and protection for youths who have no parents or who must spend most of their time on the streets.

Following a migrant influx that began in the 1970s and accelerated in the 1990s, the U.S. Census Bureau now believes there are between 10 to 12 million undocumented Hispanic aliens in the United States attracted to seasonal work in agriculture and construction in both urban and rural communities. Although the vast majority are hard working and law abiding, some of their numbers have fueled Hispanic gang growth. According to the 1999 National Youth Gang Survey, the racial and ethnic composition of U.S. gang members is 47 percent Hispanic, 31 percent African American, 13 percent white, 7 percent Asian, and 3 percent “other.”<sup>6</sup>

### **Globalized Groups**

Although gangs of various ethnicities and national origins exist in America, two California-based groups have drawn on the ebb and flow of migrants to become an international phenomenon. They are the 18th Street and *Mara Salvatrucha* gangs. The 18th Street or *Calle 18* gang coalesced among Mexican migrants in Los Angeles during the 1960s. It was the first Hispanic gang known to recruit outside its home city and state, seeking middle school and elementary-

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<sup>4</sup> Karl G. Hill, Christina Lui, and J. David Hawkins, “Early Precursors of Gang Membership,” p. 196.

<sup>5</sup> Catherine Bremer, “Thousands of Mexican Kids Try to Sneak Into US,” Reuters, December 9, 2004.

<sup>6</sup> Arlen Egley, Jr., “National Youth Gang Survey Trends From 1996 to 2000,” OJJDP Fact Sheet, February 2002 (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention), p. 2, at <http://www.ncjrs.org/pdffiles1/ojjdp/fs200203.pdf>.

aged youth to help steal, obtain protection money, and sell drugs. Mexican and Colombian traffickers now reportedly use Calle 18 members to distribute narcotics in the United States.<sup>7</sup>

The Mara Salvatrucha 13 or MS-13 formed in the 1980s in the same neighborhood as the Calle 18—but among Salvadoran migrants. At the time, conflict and high unemployment inspired an exodus of Central Americans to other countries.<sup>8</sup> In the case of El Salvador, a 12-year civil war between communist guerrillas and a fledgling democratic government displaced nearly a million people, about half of whom are believed to have entered the United States.<sup>9</sup> Some were former guerrilla recruits from Salvadoran slums that brought with them knowledge of weapons, explosives, and combat tactics.<sup>10</sup>

**Fueling the fire.** After free elections brought peace to Nicaragua in 1990 and a negotiated settlement ended El Salvador's conflict in 1992, the United States started sending Central American refugees and migrants home. The U.S. Immigration and Naturalization Service (INS)<sup>11</sup> deported an average of 4,000 and 5,000 a year El Salvador, Guatemala, and Honduras. According to official figures, roughly a third had criminal records and spent time in American prisons.<sup>12</sup> In 2003, the United States forcibly removed 186,151 persons of whom 19,307 returned to those same countries—5,327 with criminal records.<sup>13</sup> Inadvertently, forced removals helped gangs graduate from a minor phenomenon in the 1980s, to groups now numbering 150,000 to 300,000 members in Central America—though no one knows for sure.

At first, the U.S. government sent deportees home without ensuring there were local programs to receive them. Many knew little Spanish and had no ties to Central America except that they were born there. In El Salvador, jails were already packed with ex-soldiers and demobilized guerrillas who had turned to crime in the absence of employment. As a consequence, many returnees sought out the urban slums and rural war zones their parents abandoned in the 1980s. There, they introduced local delinquents to the drug-based crime they had known in the United States. Deportees arriving in Guatemala and Honduras followed similar patterns.<sup>14</sup>

In helping to end communist insurgencies during the 1980s, the United States persuaded Central American dictatorships to cede power to civilian-elected leaders and separate police forces from the armed forces. In each case there was a hiatus between the demobilization of the military police and the training of a civilian force that corresponded to a rise in delinquency. Rampant

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<sup>7</sup> See articles by Orange County District Attorney Investigator Al Valdez, "California's Most Violent Export," and "A South American Import," National Alliance of Gang Investigators Associations at <http://www.nagia.org> (December 29, 2004).

<sup>8</sup> While internal conflict prompted Salvadorans, Guatemalans and Nicaraguans to emigrate, the mechanization of farms reduced employment for unskilled labor in Honduras prompting many young men to seek jobs abroad.

<sup>9</sup> From 1980 to 1990 Salvadorans reportedly living in the United States increased from 94,447 to 465,433. By 2000, estimates rose to 600,000 - 900,000. *Profile of the Foreign-Born Population in the United States: 2000*, U.S. Census Bureau, U.S. Department of Commerce, December 2001, p. 12.

<sup>10</sup> Scott Wallace, "You Must Go Home Again—Deported L.A. gangbangers take over El Salvador," *Harpers Magazine*, August 2000, p. 52.

<sup>11</sup> Transferred to the Department of Homeland Security in 2002, it is now the Bureau of Immigration and Customs Enforcement (ICE).

<sup>12</sup> Source: *1997 Yearbook of Immigration Statistics*, and *2003 Yearbook of Immigration Statistics*, Office of Immigration Statistics, Department of Homeland Security, September 2004.

<sup>13</sup> *Ibid.*

<sup>14</sup> Wallace, "You Must Go Home Again," p. 53.

crime outstripped civilian capacity to deal with it, to the point that soldiers have been recalled to assist the police—first to stop rural marauding in post-war El Salvador and more recently to fight crime in Guatemala and gangs in Honduras.

In the mid 1990s, Colombian drug traffickers arrived in Central America to expand smuggling routes, adding an additional challenge. But by this time, U.S. policymakers—believing that peace and democracy had supposedly been achieved—reduced support for regional justice reforms and police training.

### **Struggling Economies, Weak Justice Systems**

South of the U.S. border, limited economic opportunities and weak law enforcement have fostered emigration and gang growth. Mexico's congress blocks competition in telecommunications and energy industries and has declined to reform an obsolete land tenure system. As a result, nearly a million young adults have joined the Mexican labor force each year to find only 200,000 jobs waiting for them.

Salvadoran, Guatemalan, and Honduran economies depend on remittances from the United States that total \$3 billion.<sup>15</sup> According to the International Labor Organization, underemployment averages about 65 per cent in these countries.<sup>16</sup> Until negotiations began with the United States over the U.S.-Central America Free Trade Agreement (CAFTA), local politicians were unwilling to permit competition in sectors dominated by family monopolies.

Historically weak justice systems have been challenged to keep up. In Mexico, migrants and human traffickers known as “coyotes” used to bribe corrupt border guards to allow them to pass. Now youth gangs are the ones extorting tolls as violence against both migrants and police escalates.

In Honduras, prisons hold twice their capacity. Its population of 6.9 million is protected by 6,200 police—one officer per 1,100 people if one counts administrative personnel. In 1998, Honduras had the highest murder rate in the hemisphere—154 per 100,000 inhabitants—twice the number in Colombia at about the same time. By contrast, El Salvador had a 2000 murder rate of 34 per 100,000 population, still considered high, with about 17,000 police protecting 6.5 million or one officer per 383 citizens—close to the U.S. average.<sup>17</sup>

**Underground highway.** Increasing flows of undocumented migrants over porous borders, mass deportations, as well as improved transportation and communication networks have produced a revolving door. According to Salvadoran police, 90 percent of deported gang members return to the States as fast as they can. Many return because their criminal livelihood is in America. Others do so because they do not fit in where they may have been born, but never grew up. On April 13, 2005, Rockingham County Attorney Marsha Garst testified before the House

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<sup>15</sup> In 2001, remittances from the United States to El Salvador totaled \$1.9 billion, to Guatemala \$584 million, and to Honduras \$460 million. Remittances to El Salvador accounted for 17 percent of GDP. Source: Manuel Orozco, “Remittances to Latin America and the Caribbean: Money, Market and Costs,” PowerPoint Presentation, Inter-American Dialogue, Washington, DC, 2002, at <http://www.iadb.org/mif/v2/files/Orozco2002.ppt> (January 18, 2005).

<sup>16</sup> International Labor Organization, Subregional Office for Central America, Haiti, Panama and Dominican Republic, “Decent Work Indicators Database,” at [www.oit.or.cr/estad/td/indexe.php](http://www.oit.or.cr/estad/td/indexe.php) (January 31, 2005).

<sup>17</sup> Basic Indicators; Table 2: Crime Rate Per 100 Thousand Inhabitants, *Report on Judicial Systems in the Americas 2002-2003*, Justice Studies Center of the Americas at <http://www.cejamericas.org> (January 3, 2005).

Immigration Subcommittee that of 10 gang member names passed to ICE recently, two had been previously deported. At the same hearing, Assistant Secretary of U.S. Immigration and Customs Enforcement Michael J. Garcia said that of 150 MS-13 gang members arrested since February, 22 have been charged with illegal re-entry.<sup>18</sup>

Further south, Salvatruchas and Calle 18 are present all along the highways and railroads that run from the U.S. southwest border through Mexico to Guatemala. In Mexico's Chiapas state, Salvatruchas ambush Central American migrants jumping off freight trains as they approach cities and police checkpoints, robbing and killing them.<sup>19</sup> Documents found on arrested gang members show they come from the United States, Mexico, Central America, and as far away as Ecuador. Some older ones are even ex-police and soldiers.

Oscar Bonilla, President of El Salvador's National Council for Public Security which manages delinquent rehabilitation programs believes Salvatruchas showed up as deportees as early as 1992, while Calle 18 began arriving in 1996 settling in capital city slums and former guerrilla strongholds like the villages of Apopa and Quetzaltepeque. Today they number an estimated 34,000 and procure arms for U.S. affiliates, fence cars, sell drugs, and collaborate with local kidnapping and bank robbery rings.

While half of all homicides are attributable to gangs in El Salvador and Honduras, police reports indicate that gangs account for only 20 percent in Guatemala. Yet, in a raid on a Guatemala City barrio in 2003, police arrested 872 gang members, confiscating 70 guns, 55 knives, and various explosives. In January 2005, police found the head of a female victim on a bus shuttling between shantytowns where rival *maras* operate.

While these loosely organized delinquent groups exact a heavy social cost in Central America, they pose no immediate national threat to the United States. There is potential, however. Operating across borders, *maras* have become expert in crossing borders illegally. Last year, rumors circulated that al Qaeda cell leader Adnan G. El Shukrijumah had been sighted meeting with *maras* in Mexico and Honduras, supposedly seeking their help to smuggle terrorists into the United States. None of those stories could be confirmed.<sup>20</sup>

### **Trial and Error**

Until the 1990s, street gangs were a problem mostly for local officials. Now, national authorities are more involved. But neither has confronted the larger social, demographic, and economic pressures that feed transnational gang growth in the United States and abroad.

**U.S. efforts.** Single "silver bullet" suppression and prevention strategies are still popular with politicians despite the success of more tailored, complex approaches. In 1934, the city of Chicago assigned caseworkers to convert gangs into positive social forces. But, treating them as

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<sup>18</sup> Testimony before the Committee on the Judiciary, Subcommittee on Immigration, Border Security and Claims, U.S. House of Representatives, April 13, 2005.

<sup>19</sup> George W. Grayson, "Mexico's Southern Flank: A Crime-Ridden 'Third U.S. Border,'" *Hemisphere Focus*, Volume XI, Issue 32, December 22, 2003, p. 2.

<sup>20</sup> Jerry Seper, "Al Qaeda leader identified in 'dirty bomb' plot," *The Washington Times*, October 5, 2004, at <http://washingtontimes.com/national/20041005-013052-7047r.htm> (October 29, 2005).

a group increased cohesiveness and, in turn, crime.<sup>21</sup> Los Angeles launched massive gang roundups in 1988 believing they would curb activity. Sweeps pulled in plenty of juveniles, but few actual gang members.<sup>22</sup>

More recently, states have passed anti-gang laws that sound tough to voters, but are no more effective than enforcing ones already on the books.<sup>23</sup> Often new legislation includes enhanced penalties for crimes committed by gang members. A New York district attorney is even using anti-terrorism statutes to pursue gangs.<sup>24</sup>

Some states like California, Minnesota, and Virginia have established gang task forces, with the collaboration of Drug Enforcement Administration agents and other federal authorities. In 2004, Fairfax County, Virginia budgeted \$1.4 million for an 11-member anti-gang unit. But localities that succeeded in rolling back gang violence did so through political will, sustained efforts, and multiple strategies.

In 1995, authorities in Boston, Massachusetts believed gangs were responsible for at least 60 percent of all youth homicides.<sup>25</sup> They adopted problem-oriented policing, encouraging officers to analyze and solve problems contributing to specific crimes—as opposed to the traditional methods that emphasize response to calls, arrests, and after-the-fact investigation.<sup>26</sup> Eschewing new laws, the city used existing statutes and resources to impose costs on offenders—shutting down drug markets, serving warrants, enforcing probation restrictions, and making disorder arrests.<sup>27</sup> Police and probation officers conducted joint patrols and shared information on specific gang members. Community leaders, social service providers, and local clergy walked the streets to demonstrate support for law enforcement.<sup>28</sup> As a result, Boston’s Operation Ceasefire coincided with a 63 percent decrease in monthly youth homicides and a 25 percent drop in gun assaults.<sup>29</sup>

In his 2005 State of the Union Address, President George Bush pledged \$150 million over three years to community and faith-based groups to help troubled youth avoid “apathy, gangs, or jail.” Given the spotty history of gang prevention and rehabilitation programs, care should be taken to

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<sup>21</sup> Finn-Aage Esbensen, “Preventing Adolescent Gang Involvement,” *Juvenile Justice Bulletin*, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, September 2000.

<sup>22</sup> Youth Gang Programs and Strategies.

<sup>23</sup> For more information on the increasing federal role in prosecuting gang activity, see Paul Rosenzweig, “The Gang Act Needs Modification,” Heritage Foundation Web Memo, at <http://www.heritage.org/Research/Crime/wm494.cfm>.

<sup>24</sup> A controversial use of such laws, since youth gangs usually have no political motive in their crimes. See Michelle Garcia, “N.Y. Using Terrorism Law to Prosecute Street Gang,” *The Washington Post*, February 1, 2005, p. A-3.

<sup>25</sup> David M. Kennedy, Anne M. Piehl, and Anthony Braga, “Youth Violence in Boston: Gun Markets, Serious Youth Offenders, and a Use-Reduction Strategy,” *Law and Contemporary Problems*, Vol. 59, No. 1 (1996), pp. 147-196.

<sup>26</sup> “Operation Ceasefire.” See Anthony A. Braga, David M. Kennedy, Elin J. Warring, and Anne Morrison Piehl, “Problem-Oriented Policing, Deterrence, and Youth Violence.”

<sup>27</sup> David M. Kennedy, “Pulling Levers: Chronic Offenders, High-Crime Settings, and a Theory of Prevention,” *Valparaiso University Law Review*, Vol. 31, No. 2 (1997), p. 462.

<sup>28</sup> Jack McDevitt, Anthony A. Braga, Dana Nurge, and Michael Buerger, “Boston’s Youth Violence Prevention Program.”

<sup>29</sup> Anthony A. Braga, David M. Kennedy, Elin J. Warring, and Anne Morrison Piehl, “Problem-Oriented Policing, Deterrence, and Youth Violence,” p. 207.



ensure that such money leverages coordinated, multi-strategy programs targeted at local conditions.

**Foreign approaches.** Surprised by the alarming growth of delinquency and gangs over the last decade, Central American governments have responded by strengthened law enforcement. In 2003, El Salvador and Honduras adopted broad anti-gang statutes known as *Mano Dura* (Firm Hand) laws.

In El Salvador, prosecutors can send juveniles to prison for two to five years simply for joining a *mara*. Wearing tattoos or using gang hand signals can result in a similar sentence. Carrying arms or explosives carries a penalty of up to six years. From July 2003 to 2004, Salvadoran police registered some 19,275 arrests on gang-related charges.<sup>30</sup> All in all, El Salvador's prisoner population has doubled in the past five years to 12,000 inmates, 40 percent of whom belong to street gangs.<sup>31</sup>

In Honduras, some 1,500 tattooed juveniles have reportedly been incarcerated under *Mano Dura*. Honduran authorities say that kidnappings have dropped from 18 in 2001 to one in the last year. Moreover, bank robberies have dropped from 70 to single digits, car thefts, and gang-related killings have declined. *Mano Dura* reforms have also enabled authorities to keep suspects in jail pending trial. Formerly, gang victims had to press charges within 24 hours—which they seldom did—or suspects would be released.

Guatemala also approved tougher anti-gang laws. In 2004, President Oscar Berger even appointed a new interior minister and deployed 4,000 army troops and police to troubled neighborhoods throughout Guatemala City.

Panamanian President Mireya Moscoso pushed for similar laws, but her successor Martin Torrijos has proposed a social rehabilitation initiative instead. His *Mano Amiga* (Friendly Hand) campaign would provide at-risk youth with extra educational, cultural, and social opportunities and would use existing laws to prosecute gang violence. It would also draw on international organizations such as the United Nations Children's Fund (UNICEF) for funding and expertise.<sup>32</sup>

Besides aggressive enforcement, a mix of government and private programs now facilitate rehabilitation. The Salvadoran government has developed rescue centers in several prisons. Its National Council for Public Security has collaborated with private foundations to establish a rehabilitation camp west of San Salvador for some 120 youths a year who voluntarily leave gangs. It asked the Catholic Church and the International Organization for Migration to create the "*Bienvenidos a Casa*" ("Welcome Home") program to supply clothing, counseling, and employment advice to deportees arriving from the United States.

Meanwhile, a former Peace Corps volunteer and an Amnesty International official formed *Homies Unidos* (Brothers and Sisters United) to guide active *maras* toward social integration,

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<sup>30</sup> "Dura lucha contra los maras en El Salvador," EFE newswire, *el Nuevo Herald*, September 14, 2004, at <http://www.miami.com/mld/elnuevo/news/world/americas/9655243.htm> (September 14, 2004).

<sup>31</sup> Mary Jordan, "Central America's Gang Crisis: Prison Riots Reflect Widening Violence in Poor Nations," *The Washington Post*, September 17, 2004, p. A-1.

<sup>32</sup> "Torrijos takes soft approach to mara problem," *Latinnews Daily*, September 29, 2004.

self-respect, and stable employment. Partly supported by the opposition Farabundo Martí Liberation Front Party, it lobbies for rehabilitation in place of tougher laws—countering law enforcement advocates in El Salvador’s ARENA Party government, and challenging skeptics who believe treating entire gang cliques will only strengthen cohesion.

Elsewhere, private organizations barely match meager governmental reeducation efforts. On his own, Honduran sociologist Ernesto Bardales created *Jovenes Hondureños Adelante - Juntos Avancemos* (Forward Honduran Youth - Together We Advance) to reform former gang members. Emilio Gouboud, director of Guatemala’s *Asociación para la Prevención del Delito* (Association for the Prevention of Petty Crime or APREDE) developed a program to train former *mareros* as carpenters and barbers. *Fundación Remar* supports 32 homes for reforming gangsters in Guatemala, while former member Antonio Quiñonez runs *Poderoso Gigante* (Powerful Giant), a private rehabilitation center that treats about 25 troubled youths at a time.

Although they represent progress, these efforts hardly scratch the surface where gang populations in the tens of thousands outnumber program slots available to accommodate them.

**Burgeoning cooperation.** To *mareros* who communicate by cell phone and travel in stolen cars, international boundaries mean little more than changes in jurisdiction. Waking up to this fact, authorities in Central America, Mexico, and the United States are beginning to cooperate. In January 2004, Salvadoran, Honduran, Guatemalan, Nicaraguan, and the Dominican Republic leaders signed an agreement to create a database on crimes and gang members, share information, and keep better track of gang member movements.

In October 2004, the Director General of El Salvador’s National Civilian Police (PNC) Ricardo Menesses met with county law enforcement officials in Southern California and offered to share his database on Salvadoran gang members in return for information from American police on criminals and leaders returning to his jurisdiction.<sup>33</sup> Last month, defense and security ministers from seven Central American countries agreed to create a regional rapid response force to combat drug trafficking, terrorism, and transnational threats.

At the same time, the U.S. Department for Homeland Security, through its bureau of Immigration and Customs Enforcement (ICE), has launched Operation Community Shield to share databases with local law enforcement to deport alien criminal gang members. According to Assistant Secretary Michael J. Garcia, ICE has established a fledgling relationship with Central American and Mexican governments on deportations and the return of international fugitives.<sup>34</sup>

### **Heart of the Matter**

Even with harsh limits on civil liberties, larger prisons, or detention programs that rival concentration camps—alien youth gang activity will never be completely eliminated. *Mano dura* laws that imprison youths for simply wearing tattoos have already been cited as violating

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<sup>33</sup> Ben Fox, “El Salvador police chief seeks closer U.S. ties in gang fight,” Associated Press, *San Jose Mercury News*, October 12, 2004 at [http://www.mercurynews.com/mld/mercurynews/news/local/states/california/the\\_valley/9901716.htm?ic](http://www.mercurynews.com/mld/mercurynews/news/local/states/california/the_valley/9901716.htm?ic) (October 29, 2004).

<sup>34</sup> Testimony before the Committee on the Judiciary, Subcommittee on Immigration, Border Security and Claims, U.S. House of Representatives, April 13, 2005.

civil liberties. Labeling members terrorists may close doors to rehabilitation and give gangs a political cause, advancing a self-fulfilling prophecy.

On the other hand, piecemeal prevention and suppression merely nibbles around the edges. Transnational gangs will continue to flourish as a by-product of larger social and economic processes such as the growth of transient, unstable neighborhoods and the expanding numbers of undocumented migrants who live on the margins of society. Though unintended, past uncoordinated deportations and subsequent frequent returns to the United States appear to have facilitated the spread of criminal networks.

Future anti-gang strategies need to target root social processes as well as sanction criminal behavior. Domestically, they should:

- **Foster stable neighborhoods.** Federal and local officials should study the geographic and demographic factors that impact marginal neighborhoods as well as elements that draw people to them. Resulting anti-gang strategies should target characteristics that promote delinquency.
- **Reduce illegal immigration.** America ignores an underground guest worker problem whereby hundreds of thousands of aliens arrive annually to take jobs without permits or visas. The White House and Congress should simplify U.S. immigration and labor requirements to encourage prospective workers and U.S. employers to abide by the law. Greater compliance would provide a more complete database of documented workers and help maintain a tax base for local services to promote integration into local communities. Effective foreign worker controls would enable the U.S. Border Patrol to focus efforts on those who enter for destructive purposes, like gang members, criminals, and terrorists.<sup>35</sup>
- **Deny time for gang activities.** It is no accident that many of today's parents "over-program" their children with tutoring and after-school activities to steer them away from risky behaviors that lead to crime. But not all families can afford such programs. President Bush's promise to involve "parents and pastors, coaches and community leaders" should help social, tutorial, and mentoring opportunities reach all youth. However, state and local community leaders must assume the primary responsibility for developing and funding prevention strategies because they are closest to the problem.
- **Suppress violence through multi-agency efforts.** Enforcing existing laws through collaborative efforts of various criminal justice agencies is more effective than passing new ones that threaten civil liberties. Expeditious pursuit, arrest, and conviction of violent gang members, in combination with the systematic campaign to explain to gang members the consequences of their behavior, contributed to substantial reductions in gang-related violence. The federal government should help local jurisdictions handle tasks they cannot do by themselves such as coordinate the flow of information among national and local law enforcement agencies.

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<sup>35</sup> For more on immigration policy see Edwin Meese III and Matthew Spalding, "The Principles of immigration," *Heritage Backgrounder*, No. 1807, October 19, 2004.

U.S. foreign policy toward Mexico and Central America should:

- **Help open market economies.** U.S. diplomacy and development assistance must support economic reforms and better governance to provide a foundation for more prosperous societies. Mexican and Central American economies should not have to rely to the extent that they do on remittances from workers in the United States. Ample employment opportunities should exist in home countries. The U.S. Congress should ratify the Dominican Republic-Central America Free Trade Agreement to help create more job opportunities at home and abroad.
- **Strengthen rule of law.** Visible policing, transparent justice, and adequate court facilities help reduce backlogs of criminal cases helping law enforcement to become an effective deterrent. While the United States gave ample military assistance to Central America during the 1980s, support for justice systems has lagged. Congress should restore funding for administration of justice projects diverted to other uses in the last five years. It should amend Section 660 of the Foreign Assistance Act of 1961 to allow more targeted and flexible support for police. Development money could be shifted from expensive environmental and health programs to support gang rehabilitation efforts.
- **Promote family-friendly policies.** U.S.-supported consultancy and assistance projects should encourage better schooling for Mexican and Central American youth through more local control over public education and public-private sector partnerships to provide textbooks and supplies. They should advocate tax codes that do not penalize entrepreneurship and marriage. And they should discourage serial cohabitation that generally condemns children to growing up with one or no parent at all.
- **Support intelligence sharing** between U.S., Mexican, and Central American law enforcement agencies. The FBI's National Gang Intelligence Center and the Department of Homeland Security's ICE bureau should work together with foreign governments to track gang members at home and abroad, as well as ensure that deportees receive appropriate treatment and processing when they arrive in countries of citizenship.
- **Enhance border security**, not just between the United States, Canada, and Mexico, but also throughout the North American continent. At home, overtaxed detention facilities promote a "catch and release" policy that enables returning gang members and fugitives to escape justice. Abroad, neighboring countries lack technology and training to control national boundaries. Just as national and local police chiefs have begun to seek each other out, U.S. ICE must strengthen cooperative links with foreign counterparts.

## **Conclusion**

Like crime, youth gang activity can be reduced but never eliminated. For all, its transnational character is worrisome. It threatens nearby countries struggling to consolidate their democracies and markets. Disaffected youth that join gangs were once a source of guerrilla recruitment in past conflicts that the United States felt compelled to help quell. We can help reduce this threat by focusing domestic efforts on the social systems and factors that feed it and by working with our North American neighbors to do the same.

Youth gang violence has continued its upward trend nationwide according to the Department of Justice, Office of Juvenile Justice and Delinquency Prevention. Furthermore, youth gangs have been identified in every single state. Nationwide, there are 24,500 gangs with a total gang membership of more than 750,000. The ethnic composition of these gangs includes 47% Latino, 31% African American, 13% Caucasian, 7% Asian, and 2% of mixed ethnicities (OJJDP, 2008). Key Point. The forensic nurse serves a vital role in the suppression, intervention, and prevention of youth gangs and associated violence. Throughout history, youth gangs have flourished wherever there have been population shifts and unstable neighborhoods. However, recent growth in numbers and global affiliation of gangs pose a public security threat. Gangs that flourished in Los Angeles during the 1960s now have fraternal links to some 130,000 to 300,000 members in Mexico and Central America and have expanded across the United States to both major cities and rural communities in the eastern seaboard. Johnson, S. 2005. North American youth gangs: Patterns and remedies. The Heritage Foundation. <http://www.heritage.org/Research/LatinAmerica/tst042105a.cfm> (accessed August 28, 2006). Gang recognition and suppression in the schools Preventing adolescent gang violence. North American Youth Gangs: Patterns and Remedies Testimony of. Article. Stephen C Johnson. This finding suggests that the intervention made both qualitative and quantitative changes in the pattern of recruitment of girls to science. Read more. Last Updated: 02 Sep 2020. and smaller communities. Youth gangs increasingly create problems in correctional and school settings. Compared with nongang offenders, gang members are responsible for a disproportionate percentage of serious and violent offenses and are more likely to engage in the sale and distribution of drugs. Race or ethnicity and social isolation, interacting with poverty and community.