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A **WOLA** Special Report

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Youth Gangs in Central America

Issues in Human Rights, Effective Policing, and Prevention

Differing Perspectives on Gangs

Ask someone to describe a "gang member" and the response will be almost immediate. Most people, whether they have ever encountered an actual gang member or not, will describe a gun-toting, tattooed criminal. Ask someone to explain what a "Central American youth gang" is and the respondent is likely to paint an image of a dangerous network of criminal gangs, based in Central America and spreading their tentacles from there into the United States and other countries. Fueled by sometimes one-sided media coverage, these terms carry with them a strong set of prejudices and assumptions.

The reality is far more complex. Gangs and gang members are very serious threats to public security in some communities both in Central America and in the United States. But the character and the origins of Central American youth gangs, and the problem of youth gang violence, are not simple to understand or address. They have both local and transnational aspects and are a social as well as a law enforcement issue.

In Central America, youth gangs have existed since at least the 1960s, although their character changed significantly in the 1990s.

To understand youth gangs in Central American immigrant communities in the United States, one must recognize that youth gangs in the U.S. can be traced back as far as the 1780s. Gangs based in particular ethnic groups (Irish, Italian, Jewish, Slavic, etc.) emerged

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with successive waves of immigration to the United States. And since World War II, youth gangs like the Blackstone Rangers, the Vice Lords, Skinheads, the Bloods and the Crips, and the Latin Kings have been present in most major cities. In the Central American immigrant community in the U.S, youth gangs emerged in Los Angeles in the 1980s. The two dominant youth gangs in this community became the *Mara Salvatrucha* or MS-13, and the *Barrio Dieciocho*, or the 18th Street gang.

Today, migration flows between the U.S. and Central America are strong, and the links between the gangs in various countries have been reinforced.

As Central American youth who had emigrated to the U.S. in the 1980s began to return to their countries of origin in the 1990s (often involuntarily because of U.S. deportation policies), and as U.S. cultural influences spread more widely in Central America, youth gangs in the region began to adopt the style, and the names of the Los Angeles gangs. While connections between gangs in the two regions developed, the two phenomena—growing ethnic youth gangs in Central American immigrant communities in the U.S, and the youth gangs in Central America that were re-inventing themselves—were distinct.

Today, migration flows between the U.S. and Central America are strong, and the links between the gangs in various countries have been reinforced. However, there is little evidence that those links have, as yet, taken on a structured, institutional character, and the level of transnational communication does not appear to be highly organized or consistent.

In the past few years, as youth gangs in Central America have grown and become more violent, as youth gang activity in Central American immigrant communities in the United States has become more visible, and as cross-border contact between gangs has raised concerns among national security specialists, these gangs (in particular MS-13 and 18th Street) have been the focus of much attention in Central America and the United States. Governments, homeland security agencies, police, social service providers, youth advocacy groups, and the media have all attempted to address the issue from a number of angles and using a variety of methods.

Each of these actors plays an important role in addressing the issue of youth gangs and youth gang violence. Yet, each actor approaches the problem from a different point of view, and often with different assumptions about the origins and nature of Central American youth gangs. Different definitions of who is a gang member, and what it means to be a gang member determine how one counts the number of gangs and gang members; this in turn influences assessments of how much of a threat to public security gangs are considered to be. Different analyses of why gangs form and why young people join gangs shape how one decides the best strategies to combat them.

Research Efforts and Government Responses

There are several efforts underway that seek to analyze comprehensively the phenomenon of youth gangs in Central America and the related, but distinct, phenomenon of U.S. youth gangs which started in the Central American immigrant communities of Los Angeles and have spread in the United States. Since the mid-1990s, a network of Jesuit-related research centers in Central America has produced important information and statistics on the gang phenomenon in Central America. Centered at the University of Central America's Institute for the Study of Public Opinion (IUDOP) in El Salvador, the research teams have published four volumes entitled, "Maras y Pandillas en Centroamérica," which report on survey research among gang members, analyze the factors that lead young people to join gangs, and discuss related issues such as social capital, rehabilitation, and civil society responses.[1]

Another important research effort is the Network on Transnational Youth Gangs

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(Red Transnacional de Análisis sobre Maras) of the Center for Inter-American Studies and Programs at the *Instituto Tecnológico Autónomo de Mexico*. They are conducting a comparative analysis of youth gangs in Central America and youth gangs made up of Central American immigrants or their children in Mexico and the United States. Their findings on the nature of youth gangs and transnational aspects of the youth gang problem (including a section by the Washington Office on Latin America (WOLA) on Central American immigrant youth gangs in the Washington D.C. metro area) will be released in early 2007.

In addition, the U.S. Agency for International Development (USAID) published a comprehensive report in April of 2006 which examines the factors contributing to gang membership from the U.S. to Mexico and Central America and makes recommendations for the U.S. government.[2]

These efforts to understand the complexity of the phenomenon of youth gang violence will contribute, over time, to sensible policy responses to the problem.

While research goes forward, governments have begun to take action. Starting in 2003, Central American governments began to respond to youth gang violence with what politicians called a *mano dura* (iron fist), highly repressive policing strategies that included massive detentions of young people for the crime of gang membership, relaxed evidentiary standards, and harsh prison sentences. These government strategies were driven by a mix of factors. Growing levels of violence in El Salvador, Guatemala, and Honduras, and sometimes sensationalistic media coverage of that violence, intensified the sense of insecurity that many citizens expected their governments and politicians to address. Simplistic understanding of the nature of youth gangs and a tendency to attribute to gangs – often without evidence – the blame for most of the crime and violence in the region, also increased pressure for hard line policies.

Today, governments in El Salvador, Guatemala, and Honduras continue to focus on repressive policing as the principle response to youth gang violence.

Central American Gangs and the Impact of U.S. Deportation Polices

Estimates of the number of gangs and gang members that exist in Central America vary enormously. Low-end estimates suggest there are 70,000 – 100,000 gang members in the Central American region and high end estimates sometimes triple that number.[3]

Estimates of the numbers of Central American immigrant gangs and gang members in the U.S. are somewhat more precise, although certainly not exact. The U.S. Department of Justice, looking at youth gangs overall, questioned a sample of police forces across the country in 2004. Based on this survey, they estimated that there were 760,000 gang members in 2004, including members of predominantly African-American gangs, members of mostly white gangs, and of predominantly Asian gangs, and gangs reflecting different ethnic groups within the U.S. Latino community (predominantly Mexican-American gangs, Puerto Rican gangs, Central American immigrant gangs, etc.)[4] This report did not provide a more detailed breakdown. Separately, the Federal Bureau of Investigation (FBI) and the U.S. National Drug Intelligence Center estimate that there are some 38,000 members of MS-13 or the 18th Street gang in the United States, the two predominant gangs in the Central American immigrant community.[5]

MS-13 is one of the most well known youth gang connected to the Central American community. By most accounts, MS-13 was initially formed in Los Angeles during the 1980s by Central American immigrants, many of whom lived in poor neighborhoods already rife with racial and ethnic gangs. Refugees or the children of refugees

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Deportation policies played an important role in the evolution of gangs in the Central American region and a key role in the "transnationalization" of the problem. As migration between the U.S. and the region continues to surge, the connections and influences between the gangs in each country have only become stronger.

from the civil war in El Salvador in the 1980s created MS-13 as a way to protect themselves from local gangs (principally Mexican-American gangs) in their new L.A. neighborhoods.[6]

In the1990s, U.S. deportation policy (the Illegal Immigration Reform and Immigrant Responsibility Act, IIRIRA, of 1995) began to more aggressively target individuals with criminal records for deportation. Any non-citizen, including legal permanent residents of the United States, who was convicted of a crime whose sentence might last longer than a year was subject to removal from the U.S. after they had served a full jail sentence.[7] In a three year period (1994-1997), this deportation strategy caused the forced migration of more than 150,000 back to their "home country," bereft of social networks and sometimes without Spanish language skills.[8] Similar tactics have been stepped up in the past year with 2,179 "criminal aliens" deported in May 2006 alone as a result of "Operation Return to Sender." Approximately 370 of these deportees were thought to be members of MS-13.[9] There is no hard data available about the total number of gang-involved deportees since 1994, but most analysts believe that many of the younger people convicted of criminal activity and deported had become gang-involved while in the United States. Returned to Central America involuntarily, they were left with few options and often join existing local gangs in Central America, bringing with them the gang culture that had developed in Central American immigrant communities in 1980s Los Angeles.

Deportation policies played an important role in the evolution of gangs in the Central American region and a key role in the "transnationalization" of the problem. As migration between the U.S. and the region continues to surge, the connections and influences between the gangs in each country have only become stronger.

Some in the United States have proposed a still stronger emphasis on deportation, as a way to get criminals out of the United States. There are legislative proposals, such as the "Alien Gang Removal Act." There are policing practices, such as "Operation Community Shield," in which federal authorities seek to identify, arrest and deport suspected gang members based on immigration violations. Increasingly aggressive deportation policies are likely to further strengthen the transnational links between gangs in Central America and in the United States and to worsen the problems in the region. At the same time, they are likely to have little impact on levels of youth gang violence in Central American communities in the United States. [10]

Addressing the Problem in Central America: Obstacles and the Need for Alternative Approaches

Gangs in the Central American countries of Guatemala, Honduras, and El Salvador have been transformed by their contact with U.S. based gang culture and style and they have become serious public security threats in many communities in Central America. Partly in response to indiscriminate and repressive tactics used by the police, these gangs are becoming more organized and more violent, and are turning toward new forms of criminal conduct. While

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sensationalized reporting and political posturing contributes to citizens' fear of gangs, that fear remains high based on real experiences. Once primarily neighborhood based groups that fought over turf with rival gangs, some gangs have become more violent and are often involved in extortion of neighborhood residents, businesses, and public transportation operators, as well as in neighborhood drug dealing.

Central American societies face structural problems in dealing with gang violence and its causes. Governments are still in the early stages of democratization and stabilization. Levels of poverty and unemployment are high, police and other institutions remain weak, youth are marginalized, and there are very few resources to address many of the root problems which lead youth to join gangs in the first place.

Gang violence is only one of many serious security issues in the region. Organized crime, narco-trafficking, common crime, and family violence are widespread and threaten citizen security everywhere in the region. Gangs are often used as scapegoats for various other security problems and criminal activity for which they are not responsible. The majority of youth deemed to be "gang members" still belong to smaller, neighborhood gangs and are not involved in serious criminal activity. Unfortunately, the fear in communities with a gang presence is sometimes inflated by inflammatory media reports.

Governments have been quick to pander to these fears by implementing short term repressive measures that appear to offer immediate results. Additionally, they have seized these provocative reports as an opportunity to blame nearly all crime and violence on gangs. Most Central American government policies have treated gangs as enemy combatants to be eliminated rather than as the product of various societal problems that need to be addressed through comprehensive strategies that include smart law enforcement, combined with prevention and rehabilitation programs.

Specifically, the governments of Honduras and El Salvador have responded to youth gangs with repressive *mano dura* strategies in an attempt to control gangs and appease constituents. These laws make membership in a gang illegal. Thousands of youth, guilty of nothing more than having a tattoo or wearing baggy pants, have been indiscriminately arrested. Massive arrests have violated the rights of thousands of Salvadoran and Honduran youth and placed considerable pressure on the already overcrowded prison system. While Guatemala has not passed such legislation, police have implemented many of the same repressive policing strategies.

Much as the U.S. deportation strategy since the mid-90s unexpectedly contributed to the growth of gangs, these *mano dura* policies have pushed the gangs underground and, as a result, they have become *more* organized.[11] Many gang members have lowered their public profile. They are no longer tattooing themselves or wearing identifiable clothing nor are they congregating publicly; but they are continuing to meet, and to carry out gang activities. Meanwhile, the prisons have provided an ideal location for the gangs to become more cohesive. In addition to contributing to the mutation of gangs, repressive policies have done nothing to alleviate the rising level of violence and number of homicides in Guatemala, Honduras, and El Salvador.

In our view, these *mano dura* responses to youth gang violence have been ineffective in controlling the problem while posing serious threats to human rights and democratic governance in the region. This publication examines these threats (repressive government policies, ineffective policing, and social cleansing) while exploring what is known about alternative approaches and highlighting best practices in curbing gang violence and membership (community policing that respects human rights and comprehensive prevention-oriented programs). The U.S.

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experience with the evolution of gangs and developing effective responses can provide a useful framework for Central American countries to begin deciphering the issue within their own cultural and historical contexts. Additionally, the policies and reactions of one region in dealing with Central American youth gangs have clear implications for the other. Transnational cooperation and a nuanced understanding of the realities of each country are essential to effectively addressing the Central American youth gang phenomenon.

WOLA's Interest in the Issues

The Washington Office on Latin America (WOLA) has long followed issues of human rights and public security in Central America. We saw police reform as a central element of the peace processes in the region and believed that citizen security could be guaranteed by modern, effective police forces that respected human rights and due process. WOLA has worked with a number of civil society organizations in Central America on citizen security and police reform issues over the years. As youth gang violence has emerged as a major problem in Central America (and as an issue in Central American immigrant communities in the United States), WOLA has begun to focus on the need for an effective response to gang violence that respects human rights and involves civil society and community groups.

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We began to monitor the problem of gang violence in Central America and the responses of governments, civil society, and donors in early 2004. We gathered information about the problem of youth gang violence in Central America and consulted with colleagues in the region, including human rights activists, government officials, church groups, youth workers, and others. We participated in several events sponsored by U.S. government agencies and talked with a numerous U.S. government officials about their perspectives on the problem. Finally, we met with colleagues in the NGO community and with U.S. experts on youth gang violence.

In February of 2005, WOLA, in conjunction with the Due Process of Law Foundation, the Pan-American Health Organization (PAHO), and the Inter-American Coalition for the Prevention of Violence (a coalition that includes the Inter-American Development Bank (IDB), the World Bank, USAID, the Centers for Disease Control, and others), organized an event entitled "Voices from the Field: Local Initiatives and New Research on Youth Gang Violence in Central America."[12] The day-long conference was held in Washington, DC. With financial support from PAHO and the World Bank, we brought researchers and NGO speakers from Central America, a prominent U.S. academic, police from northern Virginia and Central America, and others to speak on the issue.

That conference underscored a central message in our work: while youth gang violence is a difficult problem, without magic solutions, progress can be made if governments adopt comprehensive strategies that recognize the problem as one that requires prevention and rehabilitation programs, as well as effective, rights-respecting law enforcement.

Since that conference, we have worked, with the support of the Ford Foundation and the W.K. Kellogg Foundation, to convey that message as widely as possible, especially by working with Central American colleagues who formed the Central American Coalition for the Prevention of Youth Violence. During this period, we have examined issues of human rights, police practices, and youth violence prevention in Central America, and touched on some of the issues in the development of youth gangs in Central American immigrant communities in the United States. This report reflects our views.

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Endnotes

[1] See http://www.uca.edu.sv/publica/iudop/principal.htm

[2] See pdf.usaid.gov/pdf_docs/PNADG834.pdf

[3] Ribando, Clare. *Gangs in Central America*. Washington, DC: Congressional Research Service, January 2006.

[4] Office of Juvenile Justice and Delinquency Prevention. *2004 National Youth Gang Survey*. Washington, DC: Department of Justice, April 2006.

[5] United States Agency for International Development. *Central America and Mexico Gangs Assessment*. Washington, DC: April 2006.

[6] Logan, Sam. *Deportation Feeds a Cycle of Violence in Central America*. Washington, DC: International Relations Center, March 2006.

[7] Morawetz, Nancy. *Understanding the Impact of the 1996 Deportation Laws and the Limited Scope of Proposed Reforms*. Boston: Harvard Law Review, 2000. Vol. 113.

[8] Taylor, Margaret and Alexander Aleinikoff. *Deportation of Criminal Aliens: A Geopolitical Perspective*. Washington, DC: Inter-American Dialogue, June 1998.

[9] U.S. Immigration and Customs Enforcement. *ICE apprehends more than 2,100 criminal aliens, gang members, fugitives and other immigration violators in nationwide interior enforcement operation*. Washington, DC: Department of Homeland Security, June 2006.

[10] This report makes a number of policy recommendations. Most are contained in the sections on social cleansing and human rights, effective law enforcement, and prevention programs. The issue of U.S. deportation policy is a complex and politically charged topic which is not addressed in this report. Here we note though that if high levels of deportation are to continue, the U.S. needs to work more closely with Central American governments to keep them informed about deportees, and to help governments develop effective programs to receive deportees, enabling them to re-integrate into Central American societies. Beyond that, the policy of aggressive deportation needs to be re-evaluated. Its impact on Central American societies needs to be rigorously analyzed, as does its effectiveness in reducing youth violence in the United States.

[11] Cruz, Jose Miguel and Marlon Carranza. *Pandillas y Politicas Públicas: El Caso de El Salvador, Juventudes, Violencia y Exclusión: Desafios para las Politicas Publicas*. San Salvador, El Salvador: INDES, January 2006.

[12] Washington Office on Latin America. *Voices from the Field: Local Initiatives and New Research on Youth Gang Violence in Central America*. Washington, DC: WOLA, August 2005.

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Police Reform and the Rule of Law in Central America

The application of *mano dura* practices in response to youth gang violence has had a negative impact on the consolidation of the police forces of El Salvador, Guatemala, and Honduras as professional forces that respect human rights and due process, and has weakened respect for the rule of law.

The application of *mano dura* practices in response to youth gang violence has had a negative impact on the consolidation of the police forces of El Salvador, Guatemala, and Honduras as professional forces that respect human rights and due process, and has weakened respect for the rule of law. This is an especially serious problem, from the point of view of human rights and democracy.

El Salvador, Guatemala, and Honduras all began processes of demilitarization and democratization in the 1990s. It is common today to describe Central America as a region in which a transition to democracy has taken place, although it is more accurate to say that a fragile and uneven transition is still underway. The reform and professionalization of police was a central element of the transition to a more democratic state. Reform of the police and security forces was written into the 1992 Peace Accords in El Salvador, and the 1995 peace agreements in Guatemala. With the end of the "contra war" in Nicaragua, and the peace agreement in El Salvador, the space for reform began to emerge in Honduras, as well, and a slow reform process began there in the early 1990s, in which police and security forces were separated, and a process of police reform and professionalization began.[1]

The police reform processes in Central America were generally intended to:

1. separate police and security forces, and delineate clearly the mandates and appropriate roles and spheres of each in a democratic society;
2. subject police practice to a system of internal controls and rules, preventing arbitrary detentions, the abuse of detainees or suspects, the excessive use of force, and extra-judicial actions by the police;
3. strengthen the investigative capacity of the police, particularly of detective units, thus reducing the likelihood that police would resort to coercive practices or forced confession in order to solve crimes;
4. reduce and control police corruption.

These reforms were seen as vital to the consolidation of peace and the democratization of the region. They were intended first and foremost to re-assure former rebels and the political opposition that the police would not be employed as instruments of political repression. Creating apolitical, professional, and civilian police leadership was central to this. They were also intended to end the human rights abuses practiced with impunity by both police and security forces during the 1980s. And they were intended as part of the larger project of creating modern states in Central America, in which citizens, businesses, political groups, and others have a level of confidence in the police in controlling crime and providing citizen security, without favor or advantage to any individual or group.

The police reform process in Central America has been difficult. The results to date are uneven, and the process is by no means complete.

El Salvador has made the most progress of the three countries. The war-time police forces were dissolved and their members forbidden from joining the new force. Recruits for the new force – which eventually reached nearly 20,000 members – were primarily civilians, although a percentage of former guerrillas and former soldiers were admitted. Though imperfectly implemented, this design substantially reduced the influence of the old security services. This was perhaps the most

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significant factor in developing a new, more professional force.

Other changes were instituted, though their impact has been less significant. An internal affairs unit was created; it has had serious weaknesses and been subject to political and police pressures. Media scandals about police involvement in crime led to a purge of some 1500 officers in the second half of 2000, but this was carried out under a special legislative decree, rather than through the weak internal disciplinary process. A special detective unit was created, as was a special anti-drug unit; both have received extensive international training and support, although both of these have been troubled by charges of corruption and political influence.

In Guatemala, the creation of a new police force was even more difficult. While surveys suggest that the Guatemalan public views the new force more favorably than the old police[2], the impact of the reforms has been limited. Formal civilian control was established, but many members of the old force were moved into the new force, including the entire police leadership. New detective and new anti-drug units were created; they have faced the same kinds of difficulties that the similar units in El Salvador have confronted. Internal disciplinary procedures were established, but have had limited effectiveness (although a significant number of police have been dismissed for corruption or criminal activity in the last two years).[3] Successive governments have named new leadership for the police, and there has been less stability in police leadership than in El Salvador.

In Honduras, the police were formally separated from the military in 1993, and an investigative unit with a serious history of human rights abuses was shut down. But most police officers were simply transferred to the new civilian force, without any serious review of their records, without a substantial influx of new members, and without substantial re-training. A new detective unit was created; although initially separate from the preventive police, it was eventually placed under the control of Minister of Security, along with the rest of the force. And the "new internal affairs bureau . . . has barely functioned since its creation."[4]

As this brief summary suggests, the progress toward police reform and professionalization in Central America has been slow and difficult. Police have, by and large, been separated from the military, although former military officials continue to play some role in the police forces, especially in Guatemala and Honduras. Most police forces have not yet developed strong command and control structures, and functioning internal control systems, although police abuse in every country is clearly less widespread and less tolerated than it was in the 1980s. Investigative units continue to be weak, and plagued by leadership problems, politicization and corruption. And while police forces are generally seen as more independent than they were in the 1980s, the forces have made only limited progress in controlling corruption. The well-connected, as well as criminal elements can still influence police practice. (And because police reform, to be effective, must progress in tandem with reforms in the judiciary and the prosecutorial system, weaknesses in these systems have complicated police reform.)

Police reform is not, under any circumstances, an easy process. But the consolidation of democracy in Central America, and the successful transition to modern states that operate under the rule of law, requires that the region continue to progress in the process of police reform and professionalization.

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Mano Dura Strategies and their Impact on Police Reform

Unfortunately, the *mano dura* strategies that Central American governments have employed in the last few years threaten

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to undermine the modest progress that has been made to date on police reform in the region. There are at least three areas in which *mano dura* strategies have undermined police reform: in blurring the line between the police and the military; in giving arbitrary authority to police to carry out raids and detentions of suspected gang members; and in creating a climate in which police abuse and extra-judicial action by police is tolerated.

Joint patrols between police and military blur the lines between the structures and roles of the two institutions, undermining the separation of powers, which was a significant accomplishment of the peace processes in the region.

Blurring the lines between the police and the military

Mano dura approaches, by involving the military in joint patrols with the police, have involved the military in internal security matters, and eroded the line between the police and the armed forces. In all three countries in the region, presidents have ordered military troops to accompany special police patrols carrying out anti-gang activities, arguing that police forces are not large enough, or well-armed enough to combat violent gangs. In principle, the police are supposed to take the lead in making arrests, with troops providing back-up and additional fire power, if needed.

Putting aside the question of whether a massive deployment of police power is an effective strategy for responding to gangs, ordering the military to join in police patrols raises serious concerns. Joint patrols between police and military blur the lines between the structures and roles of the two institutions, undermining the separation of powers, which was a significant accomplishment of the peace processes in the region. In addition, to the extent that it is true that the police are too small or too poorly armed to combat violent gangs, the appropriate response is to build up the capacity of the police, not to re-engage the military. History suggests that while governments often justify the deployment of military forces in joint patrols as a short-term measure to respond to a crisis, they rarely order the troops back to the barracks. (Joint patrols in rural areas of El Salvador were ordered as emergency measures in 1996, and are still underway today, for example.)

Increasing the arbitrary authority of the police

The laws in El Salvador and Honduras, and police practice in Guatemala, has allowed for the detention of suspected gang members based on the crime of "illicit association" or gang membership. There are two significant problems with this approach. First, it substantially weakens the presumption of innocence, since it makes "gang membership" a crime, without requiring proof of criminal activity. Second, it substantially loosens evidentiary standards, permitting police to arrest suspects for the crime of gang membership on very thin evidence. For example, the first *Ley anti-mara* in El Salvador, approved in 2003, allowed the police to introduce, as evidence of gang membership, the presence of tattoos or other aspects of appearance (including dress), or the fact that suspects had been detained while gathering in public places in groups of three or more.[5]

Taken together, these changes substantially increase the authority of the police to carry out arrests based on arbitrary decisions – police officers' individual judgments about particular young people, based on their appearance or presence in groups, and heavily influenced by officers' own opinions, biases, etc. Even in the most troubled police forces in Central America, most police officers are trustworthy, dedicated and honest individuals doing difficult work. But given the power and the potential for abuse of that power that is inherent in police work, civilian police forces generally seek to constrain the discretion of police officers, and limit their arbitrary authority. The police reforms of the 1990s in Central America were intended to reduce arbitrary police authority and to require police to act based on clear criteria and evidentiary standards.

In the year after the first *mano dura* law was enacted in El Salvador (from July 23, 2003 to August 30, 2004), 19,275 people were detained by the police on the charge of belonging to a gang. In a striking illustration of what happens when police

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are allowed to carry out detentions based on such arbitrary criteria, 91% of those detained were released without charge due to lack of evidence.[6]

Overall, *mano dura* approaches allow, and often encourage, police to carry out arrests based on vague and arbitrary criteria, and to act against suspected criminals based on their own opinions, judgments, and prejudices, rather than on clear evidentiary standards. This is clearly a step backwards in the reform and professionalization of the police in Central America.

Extra-Judicial Action

The emphasis in *mano dura* policing is on tough action by the police to detain suspected gang members, and deter gang activity in high-crime neighborhoods. As noted above, police are given new powers to arrest suspected gang members, and the arbitrary authority of the police is increased. One consequence of this may be to create a climate in which extra-judicial action by members of the police force against suspected gang members is tolerated. This is discussed at greater length in the section of this publication on extra-judicial executions.

Recommendations

The search for alternative policing methods is motivated in part by the recognition that *mano dura* approaches undermine the rule of law and set back police reform processes in Central America.

It is worth noting as well that *mano dura* approaches have proven to be ineffective in controlling youth gang violence, and that from a pragmatic law enforcement point of view, alternatives are needed. The practice of massive detention of suspected gang members has not reduced gang-related crime, and shows of police force, or of police-military force, while sometimes driving gang activity underground, have not broken up gangs or reduced crime levels. While crime statistics are notoriously unreliable in Central America, and while most crime cannot be attributed to gang members, overall crime trends in Central America are a rough indicator of levels of gang violence. When compared to 2003, the year that *mano dura* approaches were first systematically implemented in El Salvador and Honduras, overall crime levels have increased. And based on interviews with both active and imprisoned gang members, researchers argue that youth gangs in Central America have not been weakened by *mano dura* policing. Instead, they have become more clandestine and more organized. Thus, there is a need for alternative approaches.[7]

There is some consensus about elements of policing that are important. In general, support for police reform requires strengthening police command and control systems, and improving the effectiveness of disciplinary systems and oversight mechanisms. In relation to gang violence in particular, there are law enforcement measures that can be taken. These include:

Intelligence gathering. In areas where gangs are present police should have an anti-gang unit, which collects information about gang members, gang structures, etc. That unit needs specialized training in understanding gangs, information collection and analysis, etc.

Gang intelligence gathering, like all police intelligence gathering, has the potential for very serious abuse. Human rights concerns must be addressed in the intelligence gathering process. Intelligence units in public security forces in Central America have a bad history from the 1980s, when intelligence information was used to extrajudicially detain, torture, and execute suspects. Oversight mechanisms to prevent abuses, and respond to citizen complaints are crucial; training in anti-gang law enforcement should insist on the establishment, and effective functioning of these mechanisms, as a fundamental aspect of the process.

The quality of anti-gang intelligence needs to be carefully evaluated, as well.

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Training and assistance focused on gang intelligence units ought to include sections on institutional controls and oversight and human rights issues.

Informants and detainees do not always provide complete or truthful information, and anti-gang intelligence units need to carefully assess the information they receive, rather than making snap judgments, based on limited or biased information, about who are gang members or gang leaders. (In the United States, community activists often complain that young people get put on police intelligence lists as suspected gang members, and are never removed from them, no matter how law-abiding their conduct. Thus, they remain subject to higher levels of police scrutiny, long after such scrutiny is appropriate.)

In addition, intelligence gathering itself can be problematic. For example, in both El Salvador and Guatemala, police have engaged in sweeps that pick up hundreds of young men in high crime neighborhoods. Law enforcement authorities have told the author that police sometimes conduct these sweeps, knowing that most of those arrested will be released without charge, because the arrests allow them to gather information from each arrestee. This is troubling from a civil liberties perspective. It is troubling too because some part of the abuse committed by police and security forces in the 1980s was based in the ability of the police to arbitrarily detain people, based on suspicion, and without solid evidence. Police reform and professionalization in the1990s sought to reduce the power of the police to arrest arbitrarily and on suspicion. The practice of arresting young people without evidence of a crime in order to gather gang intelligence undermines this progress.

Training and assistance focused on gang intelligence units ought to include sections on institutional controls and oversight, and human rights issues, as well as on the technical aspects of intelligence collection and analysis.

In addition to training for specialized units, governments and international donors ought to offer training to patrol officers, who also need to be trained in information gathering and awareness about gangs, and need to pass that information along to anti-gang units. Again, training in respect for privacy, civil liberties, and human rights, needs to be built into this training process.

Given the dangers for abuse, donors should be careful to monitor police practices, and be prepared to respond strongly if there is evidence that police trained or assisted by donors are engaged in abusive practices or the misuse of intelligence.

Differentiating among gang members, and targeting gang leaders. *Mano dura* approaches in Central America, and their counterpart in "zero tolerance" approaches in the U.S., tend to treat all young people, or all young people who fit some criteria, as gang members or potential gang members. Another approach, one employed in the Operation Ceasefire (the Boston Youth Violence Initiative), and used by the Northern Virginia Anti-Gang Task Force, and the Washington, D.C. Gang Intervention Partnership, focuses on identifying serious criminals within youth gangs, and tries to treat other gang members in a way that does not consolidate their involvement in criminal activity, but reduces it.

In this approach, teams that include police and other community figures (school officials, community social service agency staff, etc.) work to identify the relatively small number of youth most likely, based on their history and their leadership roles, to engage in violent behavior. Rather than trying to find a reason to arrest these individuals, the teams seek to deter those specific individuals from carrying out violent acts. This approach is based on the notion that traditional deterrence doesn't work because violence-prone youth do not believe that they will personally experience any consequences if they engage in violent criminal behavior. This approach targets these young people, and has police, probation officials, judges, school officials, and others all sit down together with targeted gang-involved youth to communicate clearly that they will be closely monitored by law enforcement

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officials and community leaders, and that there will be a swift legal response to violent criminal behavior. At the same time, community, school, and social service groups offer programs and positive alternatives to these youth.[8] While this approach requires coordination of resources, and intensive work by the police and others in the community, the evidence is that it can contribute to significant reductions in violent crime. While there are issues about how it is applied in the Central American context, where resource constraints are different, the principle – that police and community leaders together should target potentially violent gang leaders with intensive deterrent efforts, rather than go after all gang members – is a sound one.

Distinguishing youth gangs from organized crime. There's a tendency in much of the discussion about youth gangs to conflate youth gangs with organized crime. While youth gangs can turn into organized crime groups – and some have, sometimes as a reaction to the *mano dura* strategies – the two are separate, and need to be treated separately by police. Training ought to help police officers and anti-gang specialists understand the distinction, and employ it in their dealings with young people.

Understanding the social origins of gangs. Police – both at the level of patrol officers, and in anti-gang detective units – need some training that helps them better understand that young people have many reasons for joining gangs, and that not all are hardened criminals who need to be taken off the streets. While police should not be expected to become sociologists, or social workers, they do need enough understanding to help them approach their work in a sophisticated way.

Community Oriented Policing. Local police – patrol officers and their superiors, as well as detectives and specialized units – ought to receive some basic training in community oriented policing. This approach, in which police officers seek to know and to respond to particular communities and their concerns, and in which police officers help identify and resolve community problems, fits well with the need to understand and address the problem of youth gangs in particular communities.

Training in respect for the presumption of innocence and due process. Increased awareness of the presumption of innocence, and respect for due process concerns, are among the most important advances in police and judicial reform in Central America in the last decade. In combating youth gang violence, police are under a great deal of pressure to achieve results, often measured by the number of arrests they make, and the number of gang members taken off the streets. *Mano dura* approaches tend to increase this pressure further. In this context, regular training for officers on respect for the presumption of innocence and for due process, and the institutionalization of procedures based on those norms, are extremely important.

Combined with a serious commitment to investment in prevention, intervention, and rehabilitation, these kinds of policing strategies could have a significant long-term impact in controlling youth gang violence, in ways that support police reform, professionalization, and the consolidation of democracy. Central American police forces ought to pursue these approaches and the U.S. and other international donors ought to offer them technical assistance and training.

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Social Cleansing and Extra Judicial Execution: A Human Rights Challenge

Crime and violence have grown dramatically in Central America in recent years, and citizens' sense of insecurity has increased. In the first quarter of 2006, for example, 710 murders were reported in Honduras, 100 more than in the same time period in 2005.[1] Homicide rates have gone up in Honduras, El Salvador, and Guatemala, as have rates of robbery and assault. Youth gangs are not wholly responsible for the increase (in El Salvador, police have variably attributed between 20% and 60% of killings to gang-related violence), but they are responsible for a significant part of it. And they are a highly visible symbol of the growing sense of insecurity that many people in Central America feel.

As noted in the introduction to this report, youth gangs have become an increasingly present and violent phenomenon in Central America over the last decade. As gangs have become more present in the daily lives of many Central Americans, their presence has contributed to the growing sense of insecurity. To date, governments have responded to this insecurity principally by implementing repressive "mano dura" law enforcement policies.

The inability of Central American governments to rein in gang violence, as well as the other sources of insecurity, creates a climate in which many in Central American society have to protect themselves. The growing numbers of gated middle class communities and the dramatic rise in private security forces provide clear examples of this trend. According to published statistics, there are some 10,000 national police in Honduras and an estimated 30,000 private security guards.[2] The ratio is similar in both Guatemala and El Salvador.[3] It is in this context that some individuals and groups have apparently turned to the extrajudicial killings of gang members as a solution to the problem of insecurity.

Background on Extrajudicial Murders

"Social cleansing" is the name given to the chilling process in which individuals or groups, acting without legal authority, decide to rid a community of those they have identified as criminals or troublemakers. They take justice into their own hands, and capture and execute their victims. In the last few years, there have been disturbing indications that such social cleansing is taking place in Central America, as unknown individuals or groups appear to be detaining and killing suspected gang members.

Social cleansing has a sad history in Central America. In the 1970s and 1980s, these kinds of killings were widespread and politically motivated. Groups of "heavily armed men in civilian dress," to use the term often cited in descriptions of these cases, captured and disappeared "troublemakers": opposition politicians, community activists, and organizers. As peace agreements brought the wars of the era to an end, these killings declined. But acts of social cleansing did not disappear completely. They changed in character, and often targeted suspected criminals. In a well-known case in El Salvador in the mid-1990s, a shadowy group called the *Sombra Negra* took credit for killing seventeen alleged gang members in eastern El Salvador. Although sixteen people, including four police officials were arrested in connection with the case, no one was ever convicted for these killings.[4]

When this type of killing takes place with the cooperation or tolerance of state actors or agents, it is called "extrajudicial execution." Whether state actors are involved or not, these kinds of killings – in which an individual or group, without any legal process or authority, takes it upon themselves to judge and execute

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someone – frequently take place because the police and judicial system are perceived as weak and ineffective in providing justice and citizen security. In these situations, community members or local leaders, and sometimes local authorities, may decide to take matters into their own hands to rid their community of troublemakers. Local businesses or property owners may decide that they are no longer willing to tolerate extortion by gang members. Rather than calling the police, who they believe to be slow and ineffective, they may contract security guards or others to solve their problem through extrajudicial executions. In other cases, police officers themselves may decide that the judicial system is too slow, and the constraints of the rules of evidence are too burdensome, and so they take it upon themselves to remove criminals from the community.

Most often, these murders are carried out by small groups acting on their own. In the worst cases, extrajudicial executions occur with the knowledge, the complicity, or sometimes even the approval of local authorities, police officers, or national government officials. Those captured are denied due process, and the right to a fair trial, or to defend themselves. Those involved in the killings assume the role of judge, jury, and executioner without any legal right to do so. Beyond these obvious and basic problems, extrajudicial killings undermine the authority of the state by usurping legal and judicial power that ought to be the exclusive preserve of the state. States that seek to protect their power and defend the rule of law cannot tolerate extrajudicial killings. These killings are always wrong; when governments are involved in these gross violations of human rights, the situation is exacerbated.

What are the signs of "social cleansing" murders? Sometimes, the killers leave messages, such as signs or notes left with the bodies, or statements sent to the press, declaring that the victims were killed because of alleged criminal activity, or that they were killed by a group that has announced itself as carrying out social cleansing. More often, there are only bodies, left in public places, killed for no apparent reason, sometimes showing signs of torture, and often murdered execution-style (hands tied behind the back, shots to the back of the head, etc.).

Guatemala, El Salvador, and Honduras have all seen increases in the number of these kinds of unexplained murders in the last few years. Not all these deaths can be attributed to acts of social cleansing; criminal rivals may have carried out execution-style killings in some of the cases, and other motives may be found. That being said, many analysts believe that a part of the explanation for the increases in murders committed by unknown persons for unknown motives is that there are growing numbers of extrajudicial killings of gang members.

Social Cleansing and Youth Gangs in Central America

Crime statistics are notoriously difficult to collect and compare everywhere. In Central America, police record-keeping is often poor, and police data often differ from the data kept by coroners' offices and by public prosecutors. And all of these differ from the information gathered by reviewing newspaper or other media accounts that report violent crimes.

Nonetheless, a review of available data suggests some broad trends. Homicide rates in Guatemala, El Salvador, and Honduras have long been high by world standards. Wartime rates were extremely high, and did not drop substantially in the immediate post-war period. Some sources put El Salvador's intentional homicide rate at an astonishing 139 deaths per hundred thousand persons in 1995, for example.[5] Rates declined somewhat in the late 90s and the first years of the new century, but started to rise again in 2003. They have risen steadily in El Salvador and Guatemala; in Honduras, they rose in 2003, dipped in 2004, rose again in 2005, and have risen again in the first half of 2006.

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In particular, homicides rates among children and youth have risen. For example, the children's rights group Casa Alianza gathers and reports statistics on homicides of young people in Honduras, tabulating all media reports of killings of people 23 or under, and reporting them on a regular basis. According to their figures, there were 1,976 reported violent deaths and/or executions of children and youth in the period of 2002 -2006. This is a 90% increase in comparison to the number of deaths recorded from 1998-2002, in which 1,019 youth murders were registered.[6] Similar increases in youth homicides can be observed in Guatemala and El Salvador.

Many of these homicides are the result of domestic disputes, or crimes of passion, or are killings that take place in the course of arguments or disputes among friends or acquaintances. Some are related to drugs, and many are the result of disputes among gang members or between rival gangs. Law enforcement authorities have a duty to investigate these crimes, to carry out criminal prosecutions, and to see that those judged responsible are punished.

Disturbingly, though, there are significant numbers of these killings that have no apparent explanation. These are killings where there is no obvious motive. Often the body is found in a public place. No gang violence was reported by neighbors or witnesses, there is no evidence of other criminal activity, and there are no signs that the death resulted from a crime of passion or a domestic dispute that spilled into a public space. Because most Central American police forces have limited investigative capacity, it may be that some of these murders with no apparent motive could be explained with better police work. Still, the trend is clear: larger numbers of unexplained murders, many with the marks that suggest social cleansing.

In an analysis of murders of children and youth without apparent explanation in 2005 in Honduras, Casa Alianza found that many of these murders "show the same characteristics and the modus operandi of arbitrary [extrajudicial] executions that had presented themselves in previous years: the bodies of children and youth found in open fields, in rivers, or on deserted roads, bodies burned or showing signs of torture, having the hands or feet tied, and with shots to the head, and/or other vital organs." Of the total of children and youth found murdered, 42% "presented one or more characteristics similar to patterns of arbitrary executions." [7]

Given this analysis, Casa Alianza argues that "it is undeniable that in Honduras boys, girls, and young adults face assassination and systematic execution."[8]

This is not a new allegation in Honduras. Casa Alianza began gathering data on the murders of children and youth in 1998. The Honduran government's National Commissioner for the Protection of Human Rights investigated allegations of extrajudicial executions in 2001, and published a report in January of 2002. In 2001, the UN Special Rapporteur on Extrajudicial, Arbitrary, and Summary Executions visited Honduras. She issued a 2002 report that said not only that extrajudicial killings were taking place, but that government security forces were involved in covering up their involvement in some of the summary killings of youth and children, and that some of the killings involved police.[9]

In response to these criticisms, the Honduran government set up a special Unit for the Investigation of the Murders of Minors. The Unit has investigated, between June of 2003 and November of 2005, 980 cases of murder of minors, or about a third of the 2,995 cases that Casa Alianza has documented since 1998. Of the 980 cases, 166 cases have been forwarded to the Attorney General's office for possible prosecution. Forty-eight cases have gone to trial and as of November 2005, only eight cases have ended with convictions and the sentencing of those found guilty.[10]

Similar patterns of apparent extrajudicial killings are visible in Guatemala and in

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El Salvador. In Guatemala, the Group for Mutual Support (GAM), a human rights organization, recently issued a report examining violent deaths in Guatemala. Of the 1,590 violent deaths that occurred in Guatemala in the first six months of 2005, GAM noted that 1,294 of them had some evidence suggesting that they might be acts of "social cleansing."[11] The evidence included signs of torture, the *tiro de gracia* (a shot to the back of the head), and the use of high caliber weapons often associated with the police. Similarly, on June 15, 2006, lawyers from the Archbishop's Legal Aid Office in San Salvador attributed many of El Salvador's homicides to "social cleansing" groups. They reported that, "The systematic nature of the cases leads one to believe that they have been committed to … carry out social cleansing."[12]

A particularly sensitive issue is the allegation that police officers have been involved in some of the extrajudicial executions that have taken place. High homicide rates increase public pressure on government officials and on police themselves. Under these circumstances, and given the weak rule of law that still persists in Central America, as well as the relative lack of oversight on police officers, police are sometimes prone to act harshly with little fear of legal restraint or punishment. As gangs continue to be perceived as an increasing threat to national security, some police officials may feel at greater liberty to execute youth gang members without due process of law.

In Honduras, Casa Alianza produces monthly reports on extrajudicial executions. Just to take one example, in May of 2006, Casa Alianza reported that uniformed police were responsible for two of twenty-six killings.[13] In Guatemala, according to press reports, the police internal affairs department investigated 24 reports of police involvement in extrajudicial executions in 2005.[14] In June of 2006, in a case in El Salvador, the Office of the Human Rights Ombudsman charged that police officers in the department of Sonsonate were responsible for the extrajudicial killing of three alleged gang members.[15]

These are particularly troubling allegations. It is central to the rule of law that the public have confidence that the police themselves respect the law and do not circumvent it. Any allegation that police have been involved in extrajudicial killings of any kind must be taken seriously and fully investigated. This requires assuring that internal affairs offices and inspector generals' offices in Central American police forces are functioning well, politically independent, and adequately staffed, and that prosecutors' offices are prepared to fully and impartially investigate these allegations.

Recommendations

Though precise information is scarce, and the number of cases is not clear, there are strong indications that in all three countries where gang violence is a serious problem, extrajudicial executions and social cleansing are part of the response. The U.S. State Department's 2005 Human Rights reports for Guatemala, El Salvador, and Honduras all note the allegations of extrajudicial executions.

It is imperative for police and government agencies to improve the techniques used for data collection and the method for recording this information in a clear and systematic fashion; Without this information, it is difficult to determine the true causes of violence and, therefore, impossible to address the problem at its root.

Beyond that, governments in the region should acknowledge the strong evidence that social cleansing and extrajudicial executions are taking place, and should respond to this serious human rights problem. Governments need to strongly and publicly condemn extrajudicial killings, and to make clear that they will not tolerate people taking the law into their own hands.

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To make their public declarations meaningful, governments need to seriously investigate the widespread allegations of extrajudicial killings. Honduras needs to strengthen the technical capacity and political resources of the special investigative unit. Other countries need to task detectives, whether in a special unit or not, to investigate crimes that show signs of social cleansing. Investigations and prosecutions need to happen.

The United States and others in the international community need to continue to monitor allegations of extrajudicial executions, report on them, and strongly encourage the governments of Central America to condemn any extrajudicial action and to promptly and thoroughly investigate cases.

Extrajudicial executions cannot and should not be tolerated by any state. Especially in those cases where there are credible allegations that police officers may be involved in extrajudicial executions, governments, including police internal affairs units and attorney generals' offices, have a special responsibility to carry out thorough investigations that demonstrate their commitment to the rule of law.

It is clear that attempting to eliminate gangs and their criminal behavior through extrajudicial action is wrong on moral as well as legal grounds. It is also likely to be ineffective in reducing crime and gang violence. Tolerance for, or indifference to, extrajudicial executions undermines the rule of law and the authority of the state. Governments and civil society must oppose it, and instead support effective and rights-respecting law enforcement strategies, while seeking to address the roots of the problem through programs that focus on prevention and rehabilitation.

It is clear that attempting to eliminate gangs and their criminal behavior through extrajudicial action is wrong on moral as well as legal grounds. It is also likely to be ineffective in reducing crime and gang violence.

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Preventing Youth Violence

The problem

A number of different approaches to preventing youth gang violence have been developed, and many different violence prevention programs have been implemented in the United States and in Latin America. These include programs to address some of the underlying issues that lead young people to join gangs and engage in violence; targeted programs directed at keeping young people out of gangs and offering them alternatives; programs that help young people leave gangs; and programs that discourage violent behavior by gangs members. Many of these prevention programs have been shown to be effective in reducing violent or criminal behavior. They can be cost effective investments as well, when the costs of policing and incarceration are considered. Violence prevention programs should be a key element of the response to gangs on the part of the governments of Central America and the international community.

The emergence of gangs leaves neighborhood residents feeling insecure, even terrified, and governments struggling for immediate answers to the needs of their citizens. For a number of reasons, law enforcement efforts to suppress gangs are often the first and sometimes the only response. Police forces are already existing bodies which are organized and have considerable resources, especially in comparison to other governmental or private organizations that might deal with youth violence issues. Thus they can react quickly, and can sustain their engagement for prolonged periods of time. Government officials are inclined to use policing, incarceration, and other punitive mechanisms because they can be quickly implemented, and are highly visible; they offer citizens an immediate sense of heightened security. But while the problem of gangs is a pressing one, quick reactions focused solely on suppressing gangs are at best only a partial solution. At worst, they can actually aggravate the problem.

In the *Triangulo del Norte* of Central America, made up of Guatemala, El Salvador, and Honduras, research shows that in response to the repressive *mano dura* policing strategies adopted by governments, youth gangs have adapted. They have protected themselves by developing higher levels of organization, and by forming underground networks and relinquishing the use of distinctive clothing or tattoos, in order to protect themselves from indiscriminate arrests and imprisonment. In a sad irony, hardline policing strategies designed to break up and defeat youth gangs have led some gangs to more closely resemble organized criminal groups.[1]

There is a consensus among experts that the key to effectively addressing the issue of youth gangs is a comprehensive approach that includes prevention, rehabilitation, and carefully designed suppression strategies supported by the community, local institutions, government, and the police. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) at the U.S. Department of Justice is among those who support this view point based on experiences in the United States. In the region, the World Bank, *Viva Rio* in Brazil, the Inter-American Development Bank, and the Pan American Health Organization have compiled a number of reports which come to the same conclusions.

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Central American reality and social risk factors

Much of the research on youth violence prevention and on successful programs has been done in the United States. There are successful programs in Latin America (the Pan-American Health Organization will release a study of

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successful programs in Latin America late in 2006, and there are well-documented examples of violence reduction programs in Colombia and in Brazil), but the bulk of the programs and research to date comes from the United States.

In moving toward a greater focus on prevention-based responses to gangs in Central America, it is imperative to understand the current political and economic situations within Central America and to take these realities into consideration when applying the lessons learned from model programs in the U.S. The risk factors for youth in Central America are broadly similar but not identical to those in the U.S. Youth violence emerges in Central America in the aftermath of years of civil war and the struggle to rebuild democratic institutions with scarce resources. Social services available to the general public and to at-risk youth are extremely limited due to lack of government funding; those funding shortages reflect not only governments' political priorities, but also low tax bases, and very low effective tax rates.

Several broad social factors contribute to youth violence in Central America. One of the factors most strongly associated with violent behavior by teens and young adults is exposure to violence in the home. Children who experience, or observe, violent behavior in the home are far more likely to engage in violence themselves. Unfortunately, intra-family violence is common in Central America. A study in El Salvador showed that physical violence is present in 80% of households there.[2] Studies show that domestic violence significantly increases the likelihood that a child will be the perpetrator of violent acts later on in life, whether they are domestic or social acts of violence.[3] In a survey of gang members in Honduras by the relief and development organization Save the Children, 38% stated that they had been beaten or abused on a regular basis during their youth. Of this group, 13.5% were beaten daily.[4] While intra-family violence is not the sole reason for

Guatemalan youth congregate at a rehabilitation center.

gang membership, it is clearly one of the root causes of the cycle of violence and a key "risk factor" to be addressed.

Social violence impedes economic development, and lack of economic opportunity is, in itself, another leading risk factor associated with youth violence. Weak economies lead to widespread unemployment and underemployment, to limited access to educational opportunities, and to states that can provide only poor quality education and few social services. Many youth are unemployed or underemployed in Central America. In Honduras, for example, 64% of the population is under the age of 25, and unemployment levels for people between the ages of 19 and 25 are 54.5%. Of the remaining 45.5%, a substantial majority are making less than $166 per month.[5]

Relatively weak community institutions, and a frayed social fabric, are another contributing factor. In many communities in Central America, modernity and exposure to globalization have brought more liberal attitudes and greater tolerance. But traditional institutions have lost authority, and the values they promoted, which often restrained youth behavior, have less power. Meanwhile, increased migration and population movements, caused by decades of armed conflict and by economic changes, such as the decline in rural economies and rapid urbanization, have weakened young people's ties to particular communities and community structures. And limited job opportunities have undermined the

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commitment many young people feel to their communities, as the communities are unable to offer the economic incentives and rewards that build loyalty and community solidarity.[6]

Domestic/social violence, economic instability, and weak community institutions are three broad and significant risk factors contributing to the growth of gangs throughout the Central American region. Other factors, such as high school drop out rates, easy access to guns, and the availability of drugs, are contributing factors as well. These major underlying factors must be taken into account when developing youth violence prevention programs. None of these are issues that can be easily or quickly addressed, and it is necessary to recognize the challenges presented by resource-strapped governments, weak community groups and non-governmental organizations, schools, and religious organizations, all functioning in a post-war period of relative instability.

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Resolving the problem of youth violence requires recognizing and addressing these broad social factors. At the same time, specific and targeted violence prevention programs have been shown to make a significant difference, and governments and civil society groups should pursue these programs.

Benefits of Prevention

The costs of crime and violence are high. There are economic losses, and pain, suffering, and emotional trauma for the victim. There are social costs, including the costs to the legal, penitentiary, and health sectors for both the perpetrator and victim. A 1999 cost assessment of violence in Latin America found that the total direct and indirect cost of violence to El Salvador was 24.9% of the nation's GDP.[7] In the United States, violence costs nearly $500 billion dollars a year in direct and indirect costs.[8]

Given these costs, effective violence prevention programs could save enormous

Young women at a center for at risk youth in Honduras.

amounts of money and prevent suffering and keep youth from delinquency. An investigation by the Inter-American Development Bank found that for every dollar invested in a prevention program in the U.S., between six and seven dollars would be saved on "control programs"- on investigation, prosecution and incarceration after the violence occurs. [9]

At a hearing in October, 2005, in front of the Crime Subcommittee of the Judiciary Committee in the U.S. House of Representatives, a researcher on violence and crime in the United States testified about the benefits of prevention programs in addressing youth gang violence.

> *"Prevention is more effective and less costly than punishment and incarceration. The handful of scientific comparisons conducted shows that violence prevention reduces future crime more, costs less to deliver, provides greater cost savings over time and produces a broader set of health and social benefits than treatment or punishment."*[10]

Another study of the impact of prevention programs compared the costs and benefits of several prevention programs with those of a tough law enforcement approach. The 1995 comparative research project by Greenwood & Associates compared California's "three strikes law" (mandatory life sentence for repeat offenders) with other crime prevention strategies. The research found that the three strikes law could reduce serious crime by 21%, by keeping those likely to commit crimes in prison for the rest of their lives. In comparison,

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a combination of four prevention and intervention techniques would have reduced crime by nearly 80% while costing 90% less to implement than incarceration.

At the same time, not all prevention programs are equal. In particular, the Greenwood researchers found that programs oriented toward youth facing substantial risk factors are both more cost-effective and more successful than programs that do education and outreach to the general youth population.[11]

Primary, Secondary, and Tertiary Programs

What follows is a brief overview of the specific categories of prevention programs (primary, secondary, and tertiary), a summary of what's known to date, based on research about effective ways to design prevention programs, and a few examples of programs that have had some impact in the U.S.

Violence preventions specialists generally characterize programs as primary, secondary, or tertiary, depending on whether they focus on broad outreach, targeted outreach to at-risk youth, or work with already gang-involved youth. Many of these best practices could be of great use to those addressing the gang issue in Central America, despite the significant situational differences.

Primary prevention includes school and community based activities that reach out to a broad population. They range from the general – educational campaigns to encourage young people to stay in school,

CASASTART (Striving Together to Achieve Rewarding Tomorrows) is an example of a successful community-based program that brought together social services, law enforcement, and juvenile justice agencies. It was designed by the National Center on Addiction and Substance Abuse at Columbia University to keep youth between the ages of 8-13 away from delinquency and drugs in Austin, Bridgeport, Memphis, Newark, and Savannah. [16] After a grant from the Ford Foundation to replicate the model in five new sites, the program was effectively implemented in 23 urban and rural communities in 11 states and the District of Columbia. The Urban Institute conducted a full evaluation of the impact of the program entitled, "CASASTART: A Proven Youth Development Strategy that Prevents Substance Abuse and Builds Communities."

CASASTART is a prime example of a program which can be coordinated on a national level, laying out a basic model with key characteristics, but can be implemented locally in order to incorporate neighborhood-specific attributes. In Phase 1, specialists and community organizers work with local groups to carry out a full community assessment, identify potential leaders and partners, and establish specific goals. In Phase 2, partnerships are developed between community organizations, local government agencies, police, etc. and then a clear work plan is developed. Specialists and organizers offer training and technical assistance for the service providers who work directly with young people.

Overall, the program had a significant impact on preventing youth from using or selling drugs (20% and 60% less likely respectively), and committing crimes (20% less likely). It has also increased the likelihood that youth would stay in school and be promoted to the next grade. These positive effects directly address three of the foremost risk factors which lead youth to joining gangs. [17]

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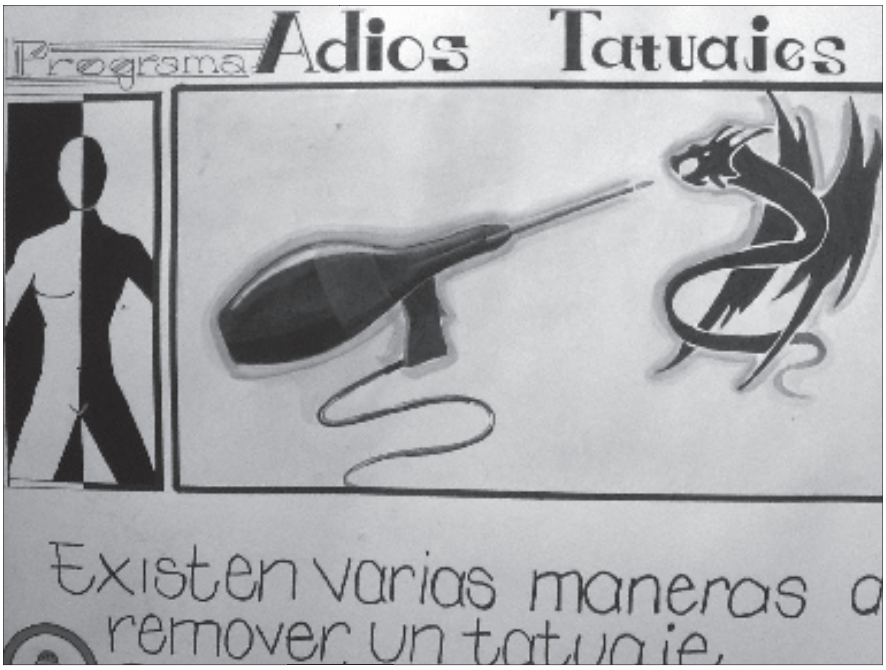

A sign advertising tattoo removal for former gang members looking for a clean start.

Conditions in Central America are different than they are in the United States, and U.S. based programs cannot simply be replicated. But while there are nowhere near as many social service providers and while many existing institutions are far less stable, the basic principle and value of community collaboration still holds.

or stay away from drugs, for example - to more specific programs that train young people how to make good decisions, or that offer anti-gang training in the schools. Their major goal is to decrease risk factors and increase protection factors. Often times, programs that reach out to the general youth population seem too broad to have a direct effect on gang prevention, but preventing drug use and other acts of delinquency can significantly reduce the possibility that youth will eventually join gangs. [12]

The most effective primary programs are "skills oriented" At the core, these programs aim to give youth the training they need to make the right decisions through adolescence and into adulthood. The Life Skills Training program is one example of a primary prevention model which is aimed at preventing drug use. By teaching social skills, personal management skills, and "street-smart" skills, teachers reduced the possibility that youth will begin regular drug use. [13] If this can be prevented from the outset, youth are less likely to move from street drug use onto other varied and more serious drugs and are, therefore, less likely to become involved in violent and criminal behavior.

Because the impact of these programs is broad and long term, it can be difficult for governments to justify the funding needed to carry them out. Nevertheless, governments should make a concerted effort to provide funding for this work just as they do for other ongoing social services.[14]

Secondary prevention targets individuals who are considered "high risk". Youth who display the greatest risk of joining gangs should be presented with practical and attractive alternatives, offered effective support systems, and be held accountable for their actions.[15] As noted above, these programs are those that appear to be most cost-effective and have the most impact on preventing youth from joining gangs.

Some of the most successful secondary prevention programs, and most feasible when working with limited resources, are community based approaches. In these approaches, experts on violence prevention, usually provided by the national government, work with community and church groups, local governments, police, and others to conduct an assessment of the particular community. The assessment tries to identifying the various risk factors in the specific community that might lead young people to join gangs. The assessment also seeks to identify myths or misconceptions in the community (due to race, clothing style, or speech) that make it harder to deal realistically with at-risk youth. Once the assessment is done, and potential solutions identified, partnerships are formed among the various members of the community. In order to make the most out of minimal resources, new programs or organizations seeking to address the gangs issue are built upon established service agencies and other institutions (church, school etc…) in order to increase feasibility and financial sustainability.

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Operation Cease Fire is an example of prevention through law enforcement tactics. It focused on gun violence control when it was created in 1996, a period when homicides in the United States were at an all time high and gangs were proliferating in African-American and Latino communities. In response to a wave of violence, the Boston Police Department formed an Anti Gang Violence Unit which used non-traditional strategies to combat violence. It combined a very intensive focus on the relatively small number of individuals who were likely to commit crimes with guns, with a community policing approach (done in partnership with community members, service providers, schools etc.), problem solving, and prevention programs. It included a community-wide assessment in which all sectors were involved, and a number of myths around gangs and gang members were addressed. The primary focus of this program was enforcement (as described in the section on police reform, pg. 8) but the overall program was comprehensive.

The results of Operation Ceasefire were striking, and are a clear indication of the importance of community-wide involvement in addressing gangs. After the second full year of operation, through May 31, 1998, there was a 71% decrease in homicides by youth ages 24 and under and a 70% reduction in gun assaults for all ages. [19]

Over time, funding for this program was reduced, and its impact decreased. But its initial success, and the fact that it has been replicated in a number of other communities, shows that by sending a strong message that violence will not be tolerated in conjunction with services and support, gang violence can be reduced.

While rehabilitation programs allow youth to readjust to society they do not always provide a mechanism to ensure that the youth will become part of the labor force or otherwise become productive members of society. Without this, many youth remain vulnerable to the lure of the gang.

while there are nowhere near as many social service providers and while many existing institutions are far less stable, the basic principle and value of community collaboration still holds. Local service providers, churches, community groups, and non-governmental organizations, need to be brought together as partners, and new initiatives should be built on their existing work. Municipalities are also an ideal setting for coordinating mutlti-sectoral responses to gangs as they encompass a deeper understanding of the history and needs of a community which would likely be absent from a national strategy.[18]

Tertiary programs are informally referred to as rehabilitation and are directed toward youth who are already involved in violence and delinquency. Tertiary programs are the costliest, but, as Operation Cease Fire shows, and as many programs in Latin America demonstrate as well, these can be productive. These programs work to reduce violence by gang members. They provide counseling and support, and sometimes offer housing alternatives, social services, educational programs, and job training to youth who want to leave gangs.

A major issue for many tertiary rehabilitation programs is economic re-insertion. While rehabilitation programs allow youth to readjust to society they do not always provide a mechanism to ensure that the youth will become part of the labor force or otherwise become productive members of society. Without this, many youth remain vulnerable to the lure of the gang.

Another problematic element of many tertiary programs was first identified in the Chicago Area Project (CAP). In the CAP program, social workers worked with

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Homeboy Industries in Los Angeles is a good example of a program which specifically targets gangs and involves coordination between the federal and local levels of government.This program is supported by the OJJDP Gang Reduction Program[24] and is one of four model sites located in the United States. Homeboy Industries focuses on reaching out to at-risk or already gang involved youth with job opportunities, skills training, and counseling. The combination of intervention, rehabilitation, and reinsertion has proven to be quite successful.

The employment referral center and economic development program, founded in 1988 by Father Gregory Boyle, is known as Jobs for a Future. The center helps over 1,000 people a month find jobs. In 1992, Homeboy Industries was formally created, out of which were formed Homeboy Bakery, Homeboy Silkscreen, Homeboy / Homegirl Merchandise, Homeboy Graffiti Removal, Homeboy Maintenance, and Homeboy Landscaping. Father Boyle's model provides a cutting edge framework for how the business community can play a critical and integrated role in addressing the root causes of youth gangs.

Farther Boyle, founder and executive director of Homeboy Industries. In a 2004 interview with National Public Radio Father Boyle stated, "Youth who join gangs are looking for a personal connection and sense of belonging. Community is the fullest, truest antidote to gangs."

specific neighborhood youth gangs, seeking to transform the gang from an anti-social youth group to a pro-social group. [20] The evaluation showed that attempting to transform an anti-social and violent group into a productive one might actually lead to further cohesiveness among the gang members and increase gang crime. Thus, work with gang members in their groups needs to be carefully structured to ensure that it is productive.

Effective Responses to Youth Gang Violence

Research-based knowledge about the effectiveness of specific violence prevention programs is limited. While there have been few large scale evaluations of prevention programs, there is useful information from the studies that exist. A review of successful programs indicates some common elements in how these programs are designed, implemented, and reviewed. Most successful programs are developed using the following methodology:[21]

1. Clearly defining the problem and gathering accurate information on youth and the community at large with particular attention placed on identifying key risk factors facing youth;
2. Creating programs to specifically target these risk factors and identifying existing and potential resources (institutions, services, funds, etc.);
3. Implementing the program with care to ensure proper management; and
4. Monitoring the program and analyzing the results.

Many communities and organizations see the need to work with youth in order to keep them away from gangs. The systematic approach outlined above, when implemented by governments, communities, and police in a coordinated manner, is mostly likely to produce long-term results.

The information gathering stage should include developing a clear understanding of the youth in the community as individuals,

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the gangs as social groups and their structure, and the community context in which these individuals and gangs exist.

In assessing risk factors for young people, successful programs look at a range of issues, from broad social problems to specific individuals concerns. These risk factors are typically categorized into 5 different groups:

1. broad community factors (poverty, drugs, guns, lack of social opportunities);
2. family factors (broken homes, domestic violence, lack of role models);
3. school factors (academic failure, negative or untrained teachers);
4. peer group factors (delinquent peers, drugs, peer pressure); and,
5. individual factors (prior delinquency, victimization, aggression, hopelessness).[22]

Once the assessment is complete, programs can be designed to address particular risk factors or combinations thereof. Once implemented, these programs should be tracked and assessed. This analysis should be used not only to determine best practices but to ensure that the program adapts to changes in the community.

Violence prevention programs are often created by individuals or small groups inspired to do something proactive for youth and to regain a sense of security within their communities. Because these efforts are not always supported by larger institutions or the government, many programs face problems of sustainability and capacity. This is an especially critical in Central America. While it is nearly impossible to guarantee that a program will be fully funded in the long term, it can be ensured that the entire program does not rely on a single source of funding or on the knowledge and expertise of one single staff member. Institutional knowledge is very important as is a clear work plan that can be followed with relative ease by a variety of people on staff or new people who join in the future. New programs and the staff hired must receive technical assistance and training from the outset.

Taking what has been learned over the years, the Department of Justice's Office of Juvenile Justice developed a comprehensive model known as the "Title V Community Prevention Grants Program." Based on the idea that national models need to be adapted to local situations, this program provides funding to states for programs that are implemented locally after adapting the model to the specific needs of that community. Though many local programs may not be able to tailor their programs this extensively, or achieve this level of support and assistance from the national government, this is a model that both national and municipal governments should strive towards in order to make the best use of existing efforts to address youth violence.

There are a number of key principles for Title V programs. First, the programs have to be based on a comprehensive and multidisciplinary approach, involving a range of local organizations and agencies, rather than just the police or one community group. Second, the community must be involved in the assessment, and planning. Third, there must be local control and decision making. Fourth, the community and local government must make a commitment to the program (in the U.S., this generally means that the local government must match the national government's contribution). Fifth, the program must have an evaluation and monitoring system. And finally, the program must be based on a long-term (not quick-fix) perspective.

These principles provide a framework for communities to put into practice the methodology without restricting them to a rigid top-down model. During the past nine years, 1400 communities have received Title V grants. An evaluation of the Title V Community Prevention Grants Program by Caliber Associates identified the most effective programs and pinpointed common difficulties.[23]

In assessing risk factors for young people, successful programs look at a range of issues, from broad social problems to specific individuals concerns.

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Beyond offering technical assistance and providing resources, the United States can play in important role in advocating with Central American governments for comprehensive anti-gang programs that include significant violence prevention programs.

Best Practices in Latin America

To date, there has not been an extensive assessment of existing prevention programs nor an evaluation of best practices in Central America. The Pan American Health Organization will be releasing such a study later this year. Until then, it is worth mentioning a few non-governmental organizations in Central America have made some important strides in curbing violence and gang involvement. The Association for the Prevention of Crime (APREDE) in Guatemala has developed a municipal-level model for youth delinquency and prevention which stresses community involvement and combines primary, secondary, and tertiary prevention. *Jovenes Hondureños Adelante, Juntos Avanzemos* (JHAJA) is an example of a tertiary program in Honduras which helps rehabilitate former gang members and reintegrate them into society through job training and placement. While the results of such programs have not been formally evaluated, they offer an important alternative to the failed *mano dura* policies which have been embraced in Central America thus far.

In the larger context of Latin America, there are a few promising programs that are comprehensive and multi-sectoral. The most well known and respected is *Viva Rio* in Brazil, which focuses on preventing urban youth crime. It currently manages more than 500 projects in various *favelas* (poor communities) in urban Rio de Janeiro. Their work includes disarmament (similar to Project Ceasefire in Boston), police training on human rights and conflict mediation, community policing, community development, job training, and counseling, among others. *Viva Rio* now offers a resource guide on how to develop, implement, and evaluate youth violence prevention programs, which is available in English, Spanish, and Portuguese.[25] The recommendations and work plan (very similar to the model outlined by the OJJDP in the U.S.) are an excellent resource for governments and community leaders alike who are seeking to form comprehensive approaches to the gang problem.

Applying lessons learned to the Central American region

There are many possibilities for using these model programs and other lessons learned to address gang violence in Central America. While entire programs cannot simply be reproduced, certain standards and models can be used as a basis for developing programs. Some of these include:

1. Gathering information through youth and community assessments, design the program targeting specific risk factors, and evaluate the results;
2. Adapting models to local conditions;
3. Building multi-sectoral local partnerships, and task forces to address the problem from all angles; and
4. Giving priority to secondary programs which target youth who are most likely to join gangs as these have proven to be the most effective and cost-efficient.

Various multilateral institutions offer models for violence prevention which focus on at-risk youth in Latin America, based on many of the principles cited above. The Inter-American Development Bank has funded several violence prevention projects in Central America which are designed according to these principles. The World Bank offers an "integrated framework" which seeks to understand the causes of violence and the related interventions. The World Bank promotes this methodology out of an understanding that investing in youth benefits not only individuals but their families and communities, and in turn, leads to education, health, and labor improvements that contribute to the economic development.[26]

In the approach promoted by multilateral development banks, local governments play an essential role. They contribute to

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gang prevention by incorporating violence prevention efforts into their every day functions (law enforcement, education, social welfare). Local government can also be instrumental in coordinating existing programs, institutions, and individuals. All of these are good approaches for the "cash-strapped" governments of Central America because they build on existing programs without starting from scratch.

Recommendations

On a policy level, Central American countries (especially El Salvador and Honduras) need to move away from an almost exclusive government focus on suppression toward comprehensive policies with a greater emphasis on prevention. Governments throughout the region have begun to shift their rhetoric, talking about the *Mano Amiga* and the *Mano Extendida* (Friendly Hand and Extended Hand) to complement the *Mano Dura* policies, but funding for these less repressive policies has been limited. (In El Salvador, for example, most of the budget for violence prevention and re-insertion work of the government's National Council for Public Security has come from international donors, rather than from the national budget.) Governments' commitment to violence prevention programs ought to be measured by the extent to which they commit increasing amounts of their own budgets to these programs.

Because evidence suggests that the most effective prevention programs build on community assessments and local partnerships, backed up by national resources, prevention program design should begin with a broad evaluation of the current situation in the various provinces and highly populated urban centers in each country, taking stock of the existing prevention, intervention, and rehabilitation programs run by community organization and churches. Because of a severe lack of resources and funding for social services in Central America, using these existing programs as a base to creating a comprehensive approach is the most cost effective way to implement alternatives to strictly suppressive measures.

Painting by a young person participating in a prevention and rehabilitation program that reads, "Say no to drugs."

The U.S. and others in the international community can play a constructive role in this process. The United States has significant knowledge and experience in youth violence prevention programs. USAID has taken the lead in understanding the gangs phenomenon in Central America by producing an assessment of gangs in Mexico and Central America. The Justice Department, especially the Office of Juvenile Justice and Delinquency Prevention, has experience in program development and in providing technical assistance to local governments. Many civil society organizations, including churches, social service agencies, community groups, and others, have useful experiences to share. Through the Department of State, USAID, the visitors program of the U.S. Information Service, and other agencies, the United States ought to offer resources and technical assistance to Central American governments to develop effective youth violence prevention programs. In particular, the U.S., through the Department of Justice, USAID, universities, and other institutions, ought to provide technical assistance and training to Central

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WOLA Staff

Joy Olson
Executive Director

Geoff Thale
Director of Programs

Gimena Sánchez-Garzoli
Senior Associate for Colombia and Haiti

John Walsh
Senior Associate for the Andes and Drug Policy

Vicki Gass
Senior Associate for Rights and Development

Adriana Beltrán
Associate for Guatemala and Violence Against Women

Maureen Meyer
Associate for Mexico and Central America

Elsa Falkenburger
Program Officer for Cuba and Gangs

Connie McGuire
Research and Outreach Coordinator for the Central American Youth Gangs Project

Joel Fyke
Program Assistant for Central America, Brazil, and Rights and Development

Jessica Eby
Program Assistant for Drug Policy, Security, the Andes, and Haiti

Kristel Muciño
Intern Coordinator and Program Assistant for Mexico and Violence Against Women

Lori Piccolo
Development Director

Ana Paula Duarte
Development Assistant

Jay Schwartz
Director of Operations and Finance

Rachel Neild
Senior Fellow

George Withers
Senior Fellow

Coletta Youngers
Senior

American governments, municipalities, and NGO's in designing and implementing prevention-focused approaches that build on community assessments and develop partnerships at the local level.

Additionally, the U.S. government it is in a position to provide funding to help launch and sustain these programs. USAID has laid out proposals country by country for its gangs and youth violence prevention work. Appropriate funding should be allocated for this.

Beyond offering technical assistance and providing resources, the United States can play an important role in advocating with Central American governments for comprehensive anti-gang programs that include significant violence prevention programs. U.S. officials now regularly speak of the need for comprehensive approaches that include youth violence prevention programs. They ought to take steps to assure that Central American governments and publics hear that message. Senior U.S. officials should seek opportunities to speak publicly, especially in Central America, to carry this message. U.S. embassies in the region ought to conduct sustained policy dialogue with the Central American governments around the need for a greater emphasis on prevention-based approaches to the gang problem backed by adequate government resources. A senior Administration official ought to be tasked with coordinating efforts to ensure that the message of support for a comprehensive approach is heard.

Motivated by concerns about the presence of MS13 and the 18th Street gang in the United States, the Department of Homeland Security has increased its efforts to deport gang members. To date, U.S. efforts have primarily focused on law enforcement techniques driven by domestic security concerns. Both domestic concerns, and concern for public security and political stability in Central America should motivate the U.S. to support a more comprehensive approach to the problem in Central America. While gang violence cannot be ended tomorrow, effective programs focused on prevention and smart policing can contribute to a long term solution in the region and in the United States.

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This report was written by Geoff Thale, Director of Programs, and Elsa Falkenburger, Program Officer for Gangs, both from the Washington Office on Latin America (WOLA). They would like to thank Executive Director Joy Olson and Connie McGuire, Research and Outreach Coordinator for the Central American Youth Gangs Project, for their invaluable comments and suggestions, as well as Program Assistant Joel Fyke for editing and publication assistance. Special thanks go to Elena Paredes for her important research on the subject and to Ernesto Bardales and Emilio Goubaud for their photos.

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Washington Office on Latin America
1630 Connecticut Avenue, NW, Washington, D.C. 20009
Telephone: 202.797.2171 • Facsimile: 202.797.2172
Email: wola@wola.org • Web: www.wola.org

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Washington Office on Latin America
1630 Connecticut Avenue, NW, Washington, D.C. 20009