



ORGANIZED CRIME SPOTLIGHT

MS-13

***State of New Jersey
Commission of Investigation***

December 2018



State of New Jersey

COMMISSION OF INVESTIGATION

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The State Commission of Investigation, pursuant to N.J.S.A. 52:9M, herewith submits for your information and review the inaugural edition of *Organized Crime Spotlight*, a project designed to provide periodic status reports and threat assessments involving elements of organized crime in New Jersey.

Respectfully,

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THE SCI LAUNCHES 'ORGANIZED CRIME SPOTLIGHT'

As New Jersey's independent government and criminal-justice watchdog agency, the State Commission of Investigation routinely gathers information and intelligence to assess the nature and threat posed by organized crime and other criminal elements operating in our society. Since its establishment in 1968, the Commission has conducted dozens of investigations in this area, charting the evolution and growth of multiple criminal enterprises, their intrusion into legitimate industries ranging from solid waste to health care and their insidious subversion of public peace, safety and justice.

The fulfillment of this vital effort, often carried out in partnership with other law enforcement agencies, has enabled the SCI over the years to assist policymakers, legislators and the public at-large to understand, be vigilant of and respond to the complex dynamics and challenges presented by an ever-changing landscape of criminal activity. With the introduction of this publication, the Commission intends to bring yet another weapon into the ongoing battle against every facet of the criminal underworld.

O. C. Spotlight will be issued periodically to provide up-to-date profiles of every significant criminal group and enterprise – “organized crime” broadly defined – impacting New Jersey and the region. Previously presented as sections of comprehensive organized crime status reports issued by the SCI every decade or so, these summary Spotlight reports will be more focused, detailed and timely. As a result, we believe they will be more authoritative and, thus, more useful and informative for the law enforcement community, policymakers and the general public.

When it was created five decades ago, the Commission was given an important mission – unique among all agencies of government – to conduct non-prosecutorial fact-finding investigations in connection with *'the faithful execution and effective enforcement of laws of the state, with particular reference to organized crime'* While the nature and shape of the criminal element has changed over time, the significance of that mission has not. Indeed, with the launch of this endeavor, the SCI intends to take it to a whole new level.

Introduction

Since its founding on the streets of Los Angeles three decades ago, La Mara Salvatrucha, commonly referred to as MS-13, has spread across the Americas and has seeded members in countries as distant as France, Egypt and Australia. It has grown, too, in the public imagination. The gang's documented atrocities and penchant for butchery stoke fears and headlines. In October, the Justice Department declared MS-13 a graver threat than any other transnational crime group, including the cartels that have flooded the United States with cheap, potent heroin, contributing to an unprecedented spike in overdose deaths.

This report, in keeping with the State Commission of Investigation's mandate to examine organized crime in all its forms and to report on matters of public safety, offers an assessment of the gang's scope in New Jersey and its impact on residents. The findings are drawn from interviews with federal, state, county and municipal law enforcement officials, as well as from public documents, intelligence and indictments. The Commission also participated in law enforcement gang summits across the state.

The examination found that MS-13 remains a persistent threat in New Jersey, preying primarily on immigrant communities through extortion of businesses, robbery and street-level drug sales. The gang's ceaseless thirst to command respect through fear, its ideology of advancing in rank by means of violence and its rivalry with other groups, chiefly the 18th Street gang, mean that murder is always just a spark away.

Moreover, the Commission found that a decade-long effort by MS-13 leaders in El Salvador to exert greater control over U.S.-based cliques, or sets, has fully taken root. Once disorganized and semi-autonomous, particularly on the East Coast, these cliques now take orders from El Salvador, seek permission from El Salvador for killings and pay tribute by wiring cash to leaders in the Central American nation. Cooperation among cliques also has flowered within the United States. The Commission found evidence that members of different cliques share weapons, shelter suspects and order up assassins for sanctioned hits.

New Jersey has played no small role in this movement, with prominent leaders from Long Branch and Hudson County directing operations along the East Coast. One of those leaders, arrested earlier this year and now awaiting trial in Nassau County, N.Y., had been working to build a more robust drug-distribution network and had personally signed off on planned killings in Maryland and New Jersey, prosecutors allege. The other leader, deported and jailed in El Salvador, used a smuggled cell phone to order that a North Bergen restaurant be shot up because the owner had stopped paying for "protection." That same leader sanctioned the 2015 execution of a suspected rival gang member in West New York.

At the same time, law enforcement officials told the Commission that visible MS-13 activity in New Jersey has waned considerably in the past three years, the result of aggressive prosecutions at the state and federal levels and a close partnership with Immigration and Customs Enforcement (ICE).¹ Dozens of MS-13 members now sit in prison for crimes that include racketeering, conspiracy and murder. In several communities, law enforcement officials said MS-13, despite its outsized reputation, is less of a concern than other nationally recognized gangs, such as the Bloods and the Crips, and violent neighborhood-based gangs composed mainly of teens.²

It is a fraught proposition for any investigative agency to declare that a criminal group has been subdued, and the Commission does not do so here. Just as *La Cosa Nostra* replenishes its ranks, MS-13 continues to recruit new members in our schools and on our streets, whether through enticements, a sense of family or coercion. In addition, some who were members of MS-13 in their native countries cross illegally into the United States, establishing ties with cliques here. Authorities suspect, too, that immigrant communities, fearful of cooperation with police because of the risk of retaliation or deportation, continue to be quietly victimized. Law enforcement estimates that more than 700 MS-13 members are scattered throughout the State, from Union City to Morristown, Trenton to Red Bank, Lindenwold to Lakewood.³ While an integrated, proactive policing strategy appears to have muted the gang's more violent activities, no one in law enforcement believes the threat has been eradicated.

In the following pages, the Commission outlines the gang's origins, expansion, structure and activities. The report also highlights approaches law enforcement officials have used to tamp down violence and to prevent vulnerable teens from bolstering MS-13's ranks.

Origins and Expansion

As civil war raged in El Salvador in the 1980s, hundreds of thousands of migrants made their way north to escape lawlessness and poverty. Many of those migrants settled in and

¹ On Nov. 29, 2018, State Attorney General Gurbir S. Grewal issued Directive 2018-6, which prohibits New Jersey's 36,000 law enforcement officers from participating in civil immigration enforcement operations conducted by ICE. The directive, intended to foster trust between law enforcement and immigrant communities, also bars officers from stopping, questioning or detaining individuals based solely on their actual or suspected immigration status. Mindful of the directive's noteworthy ends, the Commission will monitor its impact, if any, on enforcement efforts directed at MS-13 and other organized criminal organizations. The full directive can be viewed at www.nj.gov/oag/dcj/agguide/directives/ag-directive-2018-6.pdf.

² On Sept. 26, 2018, the Commission held a public hearing on the emerging threat of neighborhood-based gangs and the rising threat of juvenile gun violence. Audio of the hearing is available at www.state.nj.us/sci/index.shtm.

³ The number of estimated MS-13 members in New Jersey is drawn from the State Police's most recently published survey of police departments.

around Los Angeles, where they banded together for kinship and protection from established street gangs such as Barrio 18, or the 18th Street gang.

This nascent group branded itself Mara Salvatrucha.⁴ As the gang's membership swelled with new waves of immigrants and as its criminal activity increased, Mara Salvatrucha declared its loyalty to the Mexican Mafia, or La Eme, which, then as now, holds sway over the prison system in southern California and can protect or target incarcerated gang members. To memorialize its allegiance, Mara Salvatrucha added to its name the number 13, as the letter M is the 13th in the alphabet and a symbolic figure for the Mexican Mafia. Largely homogenous at its inception, MS-13 increasingly accepted members from outside El Salvador, particularly the neighboring countries of Guatemala and Honduras. That trend continues today, with MS-13 drawing recruits from Mexico and from across South America.

In the 1990s and through the 2000s, law enforcement sought to counter MS-13's growing influence by enlisting U.S. immigration authorities to deport tens of thousands of immigrants who had been convicted of crimes in the United States. The strategy proved a stopgap solution. While it initially diminished MS-13 in California, it exported the gang's culture to Central America, where deep poverty and corruptible law enforcement agencies allowed the gang to flourish. Today, in a nation of just over 6 million people, El Salvador has an estimated 36,000 MS-13 members, and gang-related killings approached a combined 12,000 in 2015 and 2016, according to statistics provided at a recent gang summit attended by the SCI.⁵

Migration, both within the United States and from Central America to the United States, contributed to the gang's spread through the 1990s and 2000s. MS-13 established beachheads in Texas, Charlotte, N.C., Washington D.C., Virginia, Maryland, New Jersey, Long Island and Massachusetts. Numerous cliques are now entrenched in these strongholds, fed by the recruitment of teens and young men. The Justice Department estimates MS-13 has more than 10,000 members spread across 40 states, though not all pockets are as active as those in Los Angeles, the Mid-Atlantic and the Northeast.⁶ That figure would make MS-13 about one-third the size of the Bloods street gang, according to the federal government's most recent estimate.

⁴ There is some debate about the origin and meaning of the term Mara Salvatrucha. Some law enforcement officials and researchers have translated it roughly as "Salvadoran gang," while others have parsed it further, with "Mara" as a gang or swarming group, "Salva" as a reference to El Salvador and "trucha" as a trout, which is said to be a reference to cunning. Other MS-13 experts have said the phrase means "Beware the Salvadoran gang."

⁵ To put this figure in perspective, New Jersey, a state with 9 million residents, recorded 324 homicides in 2017, according to the State Police Uniform Crime Report.

⁶ The estimated number of MS-13 members in the United States has remained relatively steady for nearly a decade. The 2009 National Gang Threat Assessment, produced by the FBI's National Gang Intelligence Center, placed the number of MS-13 members at 8,000 to 10,000.

Arrival in New Jersey

Law enforcement identified the first MS-13 members in Elizabeth, Union County, in the mid-1990s.⁷ MS-13's trademark violence – up close and graphic – soon followed. In October 1997, the body of an MS-13 member who had insulted a fellow gang member over his tattoos was found in a Jersey City park, his head and neck cleaved with a machete, a weapon intended to sow fear. His killers defecated on his body before departing. Two years later, another member confessed to police that he committed arson to enhance his standing with the gang. Yet another member confessed he was seeking to impress his MS-13 superiors when he participated in a Newark bar shooting that left one man dead and three more injured in 2004.⁸

Yet no episode better introduced New Jersey to the savagery of MS-13 than the slaying of three people – and the grave wounding of a fourth – in a Newark schoolyard on the night of Aug. 4, 2007. Six of the gang's members, including the leader of a Newark clique, are serving long prison sentences for the grisly attack, a graphic representation of MS-13's motto: "Kill, rape, control." All four victims, college students or college bound, were shot in the head. Two of them, both women, were first hacked with a machete. One, the lone survivor, was sexually assaulted by two of her attackers, who also made an effort to cut her throat.

For all the attack's shock value, the investigation that followed opened a window into the inner workings, philosophy and culture of MS-13. The Newark clique was then in its early stages, and its leader confessed to investigators he was actively recruiting and trying to get "organized" at the clique's home base, the Ivy Hill Park Apartments, not far from Mount Vernon Elementary School, where the attack took place.

One way to establish a clique is to announce its presence through violence, and MS-13 members "from New York and other states" had already visited the Newark clique "to see how we were," the leader said in his confession. One of his new members, the leader told police, had recently been "jumped in" to the gang – or given a 13-second beating, a common MS-13 initiation rite – but had not yet committed an act of violence to show his commitment. The leader said he wanted to see what "kind of heart" he had, the confession shows. Another suspect, the leader's younger brother, was a prospective member.

The presence of the four victims in the schoolyard, therefore, offered the leader an opportunity to achieve two ends. He could test his members' mettle and send a message to other cliques: Newark was on the map. That the victims had done nothing to merit the violence

⁷ A former head of the State Police street gang unit has written extensively about MS-13's rise in the Garden State. Some details in this account are drawn from those documents, along with interviews with him and other sources.

⁸ The alleged triggerman in the attack – at large for 14 years – was extradited to New Jersey from El Salvador earlier this year. He has been held without bail in the Essex County Correctional Facility in Newark on charges of murder, conspiracy and attempted aggravated assault.

that befell them didn't matter, the leader told authorities. The four were "at the wrong place at the wrong time," he said, and "didn't do anything wrong."

The case is also instructive in showing cooperation between cliques. One of the handguns carried by the suspects that night was later recovered in New York, where it was used to commit a murder by MS-13 members there. In addition, the Newark clique leader and his brother were arrested, respectively, in Prince George's County, Md., and Prince William County, Va. Both jurisdictions have a documented MS-13 presence.

Widening Footprint, Increasing Violence

By 2010, law enforcement reported an MS-13 presence in 67 New Jersey municipalities, with the largest concentrations in Hudson, Union, Mercer and Cumberland counties, according to a survey of police departments by the New Jersey State Police.⁹ Those agencies reported the presence of a combined 726 non-incarcerated MS-13 members. Along with the gang's spread came an increase in high-profile violence. Plainfield's Locos Salvatruchas clique proved particularly ruthless, stamping out rivals and suspected informants, robbing neighborhood businesses and plotting to kill potential witnesses. By 2016, more than a dozen members of the clique, including its leader, had been sent to federal prison for their complicity in five murders and in a series of non-fatal assaults with handguns and machetes over several years.

Among the attacks:

- A female gang associate suspected of working with law enforcement was taken to an empty parking lot in Piscataway and executed.
- Two members of the clique, hunting for rival gangs as they drove around Plainfield, spotted a man they believed to be a member of the Latin Kings at the city's train station. He was shot and killed.
- A member of the clique opened fire on a group of students at the Barack Obama Academy in Plainfield because he believed them to be disrespectful of MS-13. A bystander was killed.
- Seeking to prove his commitment to the Plainfield clique, a recent initiate approached a man he believed to be a member of the 18th Street gang in front of a Plainfield restaurant. The initiate shot the man in the head, killing him.
- The clique targeted one of its own associates for socializing with the 18th Street gang. Two MS-13 members cut the man's throat, stabbed him in the back 17 times and beat him with a baseball bat.

⁹ The State Police Gang Survey was conducted in 2001, 2004, 2007 and 2010.

- A member of the Plainfield operation recruited assassins from a clique in Maryland to kill a New Jersey woman in exchange for \$40,000. Law enforcement learned of the plot and arrested the would-be killers as they arrived in the city.
- Two jailed members of the clique instructed a cohort on the outside to kill three witnesses they believed had implicated them in crimes. The attacks were thwarted by law enforcement.
- In several additional cases, the Plainfield clique injured or maimed suspected rivals by firing on them or hacking them with machetes. The aim, prosecutors alleged, was to further the gang's reputation for ferocity and to establish control of territory in and around Plainfield.

Cliques in other parts of the State have engaged in similar crimes for similar reasons, authorities say. In 2014, shortly after an MS-13 member from Texas relocated to Elizabeth to organize a new clique, he ordered the murder of an 18-year-old city resident believed to be a member of the 18th Street gang. A 17-year-old MS-13 recruit shot the man twice in the head in the backyard of a city home to cement his initiation into the gang, the Union County Prosecutor's Office charged. A second juvenile watched the assassination to confirm it had been carried out. Ultimately, five MS-13 members were charged with conspiring to kill the teen. A year later, in July 2015, an MS-13 recruit to a Hudson County clique gunned down another suspected 18th Street gang member as the victim prepared to enter his apartment building in West New York.

Efforts to Unify MS-13

For years, authorities say, MS-13 leaders in El Salvador and Los Angeles have worked to impose greater control over far-flung cliques. A unified structure would serve multiple purposes. The gang's involvement in narcotics trafficking, mostly street-level sales, paled in comparison to the capacity of cartels and other gangs. By working together, MS-13 cliques could better establish drug routes and networks to increase sales and profits. At the same time, a unified structure would leverage MS-13's strength, providing more muscle in conflicts with other gangs and control over cliques that sometimes flouted orders. From the perspective of leaders in El Salvador, a top-down hierarchy would also mean more money coming to them in the form of dues from U.S. cliques.¹⁰

The federal indictments of high-level MS-13 leaders in El Salvador and the United States in recent years show this effort at work. Under the gang's structure, cliques are grouped together into "programs," or regions. Multiple programs exist in El Salvador. Others are present

¹⁰ All MS-13 members are required to pay dues to the leaders of their cliques. Some of that money is kicked up to regional leaders or to commanders in El Salvador. Dues are also used to pay lawyers and purchase weapons.

in Guatemala and Honduras. In the United States, the Los Angeles program is composed of at least 10 cliques. Cliques on the Eastern Seaboard are part of the East Coast Program.

In 2014, federal prosecutors in Newark indicted a dozen MS-13 members, including five from Hudson County, in a far-ranging racketeering conspiracy authorities described as an effort to create a single national program, an initiative known as the “unification of the barrio.” Conceived by an imprisoned Los Angeles leader, supported by jailed leaders in El Salvador and carried out by deputies on the outside, the idea was to partner with cartels to deliver cheap methamphetamine and other narcotics to the streets of New Jersey, Virginia, Maryland, Long Island and Boston.

The five New Jersey defendants, all members of two cliques, the “Hudson Locotes Salvatrucha” and “Pinos Locos Salvatrucha,” were tasked with persuading other New Jersey cliques to buy into the national program, prosecutors said. The same indictment shows that MS-13 leaders in El Salvador “green-lighted,” or officially sanctioned, the murder of a rival gang member in Hudson County. Federal law enforcement officials learned of the plot and thwarted it before the killing could be carried out.

One of the imprisoned leaders in El Salvador oversaw the Hudson County cliques and remained in regular contact with the New Jersey defendants through mobile phones smuggled into his cell, according to a separate federal indictment handed up in Newark in April of this year. That same leader, more than 2,000 miles from New Jersey, approved the execution of a rival gang member in West New York, a killing referenced previously in this report. The indictment, along with interviews with law enforcement officials in Hudson County, show the granular level of control by the Salvadoran leader, who personally phoned a North Bergen restaurant to demand that its owner continue to make extortion payments to a Hudson County clique. When an employee who had no knowledge of the extortion hung up on him, the leader ordered local MS-13 members to retaliate. The clique ultimately enlisted a juvenile from Jersey City to fire a handgun into the restaurant. Authorities, alerted to the plot, intercepted the armed teen as he pedaled toward the restaurant on a bicycle.

The gang’s ambitions and growing sophistication are illustrated in the April 2018 indictment of another MS-13 overlord who controlled the East Coast Sailors clique, which has a large presence on Long Island and additional factions in New Jersey, Massachusetts, Virginia, Maryland and Houston. The man, a former Long Branch resident once imprisoned in New Jersey for drug trafficking, participated in periodic conference calls that included other regional clique leaders, MS-13 bosses in El Salvador and members in such disparate countries as Mexico,

Colombia, South Korea, France, Australia, Peru, Egypt, Ecuador and Cuba, according to the indictment, brought in Nassau County, N.Y.¹¹

Prosecutors allege the participants discussed drug routes, the movement of members from clique to clique, money transfers to El Salvador and murder. No detail was too trivial to address. The indictment shows those on the call debated whether and how MS-13 members should be punished for violating the gang's rules. They also discussed surveilling rival gang members and striking back when one of their own was targeted, the indictment states.

The former Long Branch resident took this philosophy of tight control to heart, prosecutors allege, saying he instructed his subordinates on the protocols to request permission for assassinations, on the consequences of disloyalty and on the importance of molding young gang members to be the "eyes of the leaders." He also gave explicit directives about murder, telling his lieutenants in September 2017, for instance, to oversee the killing of a Maryland resident suspected of cooperating with police, the indictment states. The victim was to be choked to death or shot, and his body was to be buried. The crime was to be carried out by younger gang members, an order reflective of the belief that juveniles will receive more lenient treatment from the courts should they be caught. In a separate conversation, the former Long Branch man instructed a subordinate on Long Island to meet a Sailors member in Elizabeth, where they were to scout areas to kill another individual, the indictment states.

The leader was no less ambitious in his effort to increase the gang's drug sales, cutting a deal with the Mexican Mafia to obtain heroin, cocaine and marijuana that was then redistributed for sale in Long Branch, the Bronx, Long Island and other East Coast locations, prosecutors said.

Biding Time, Harboring Fugitives

The dismantling of the gang's East Coast leadership and the arrests of dozens of members have struck a blow against MS-13, but as in so many criminal organizations, a power vacuum rarely lasts for long. Law enforcement officials in Hudson County told the Commission a new East Coast program leader is already in place, believed to be residing in New York.

Even so, across New Jersey, there are indications that cliques are intentionally lying low to avoid law enforcement scrutiny. Hudson County investigators say that while MS-13 members continue to reside in the county – they put the figure at fewer than 100, mostly in Jersey City, Union City, North Bergen and West New York – the gang appears to have gone dormant, an assessment echoed in Atlantic City, Long Branch and other communities where MS-13 once had

¹¹ Public records show the Sailors leader maintained an address in Long Branch through at least October 2016. At the time of his arrest, he was living in Maryland.

an active presence. In Union County, the number of confirmed MS-13 members now stands at about 70, down from 104 in 2014, according to the County Prosecutor's Office. Those members mostly live in Elizabeth and in Plainfield. It is possible, beyond arrests and deportations, that the number of active MS-13 members is dwindling or remaining flat as aging members distance themselves from the gang. Investigators in Hudson County, for example, told the Commission that some members have been known to pull back from MS-13 activity once they start their own families. Members in the county typically range in age from 13 to 34, the investigators said. It is rare, they said, to see second-generation MS-13 members, a phenomenon seen in other gangs.

Despite the absence of recent high-profile violence, it's clear New Jersey remains a place where gang members seek safe harbor after committing crimes in other states. Late last year, Immigration and Customs Enforcement agents arrested six MS-13 members in Lindenwold, Camden County, according to a municipal police officer then on loan to the U.S. Marshals Service, which works with ICE. Two of the six were wanted for the murder and dismemberment of a man in Maryland. To the north, in West New York, authorities arrested two juveniles who allegedly took part in a quadruple homicide in Central Islip, N.Y., in April 2017. The victims were hacked with machetes, stabbed and beaten with tree limbs after two teenage girls lured them into the woods. Another MS-13 member from Houston was arrested in Hudson County after authorities learned he was wanted in connection with a Texas homicide. Hudson County investigators also have identified members from Virginia and Brentwood, N.Y., the epicenter of MS-13's Long Island violence.

Motivation and Methods

Unlike some of their counterparts in other gangs, in which round-the-clock drug sales serve as the chief source of income, MS-13 members in New Jersey typically hold jobs in the construction, landscaping and restaurant industries. Others work as day laborers in those fields. The MS-13 ethos is less the pursuit of riches than it is the pursuit of protection, respect and reputation. So paramount is the notion of respect in MS-13 culture that members of the gang are empowered to use any means necessary, including murder, to avenge slights and instill fear, according to indictments that recite acts of violence.

Members pay cash dues in weekly or monthly meetings presided over by a clique leader, known as the "first word" or "shot caller."¹² Here, members socialize and discuss potential acts of violence against rivals, punishment for rules infractions and ongoing criminal activities,

¹² Cliques also typically have a second-in-command, known as the "second word." Fully initiated members are known as "homeboys" or "homies." Provisional members – those who are more than recruits but not yet fully initiated – are known as "chequeos." Recruits, or prospects, are known as "paros."

principally the extortion of immigrant-run businesses and drug sales. Law enforcement officials told the Commission MS-13 does not target businesses outside Central American communities because of the likelihood such activity would attract police attention.

Some immigrant business owners are particularly vulnerable to MS-13 because of the gang's long reach into Central America. MS-13 members have been known to learn the names and addresses of business owners' relatives in their native countries and to use that information to extract cooperation in New Jersey. The implication is clear: Pay up now or relatives back home will pay with their lives. Experts on MS-13 behavior say the gang is careful not to bankrupt the businesses it extorts. At the same time, members are known to conduct surveillance on those it targets, noting the style of clothing they wear and the car models they drive. If a mark displays signs of extravagance, the gang is likely to increase its tax. In some communities, MS-13 also targets immigrant day laborers, charging them a fee in exchange for permission to seek work at locations where laborers gather.

The ambitions of regional leaders notwithstanding, drug-dealing by MS-13 cliques in New Jersey has traditionally been low-volume when compared with groups like the Bloods and Crips, law enforcement officials told the Commission. In other states, particularly Maryland and Virginia, cliques have boosted income by running brothels and prostitution rings involving juvenile trafficking victims. The Commission has found no documented cases of organized prostitution-related activity by MS-13 in New Jersey.

Traditionally, MS-13 members have been identifiable to law enforcement by their tattoos, an important measure of commitment in the gang's culture. Images of shirtless men gaudily inked from hairline to waistline abound on the internet. Few MS-13 members in New Jersey are quite so ostentatious. Even so, it is common for MS-13 members here to memorialize their gang affiliation. These tattoos typically include the words "MS-13" or "X3"; the number "503," El Salvador's telephone country code; or a representation of devil horns, whether drawn independently or shown as hands in the shape of devil horns.

One potential challenge for law enforcement is that leaders in El Salvador have instructed members in the United States in recent years to forgo identifying tattoos or to get tattoos only on parts of the body that can be covered. Similarly, leadership has ordered subordinates to avoid the gang's trademark colors to better blend in, law enforcement officials told the Commission. MS-13 members have traditionally worn blue and white clothing or blue and black clothing, with sneakers of the same colors. Some also have been known to favor Chicago Bulls attire because the logo depicts a bull with prominent horns.

An Interview with MS-13

Earlier this year, a Commission investigator interviewed a reputed MS-13 member in the Essex County Correctional Facility in Newark. The man, an undocumented immigrant, was awaiting extradition to El Salvador, where he was wanted on a murder charge. The interview is instructive in that his story reflects a common tactic used by MS-13 members to deny any affiliation with the gang and to instead cast themselves as victims.

The man told the SCI he was a business owner in El Salvador, selling mobile phones, and that MS-13 demanded he turn over 10 percent of his weekly gross profit. He said he did so for months before the gang upped its tax to 20 percent, then 30 percent and finally 50 percent. Unwilling to continue paying, he said he sold his store and paid a coyote, or smuggler, \$6,000 to guide him across the Mexico-U.S. border on foot. He ultimately made his way to New Jersey by bus. Once here, he said, he learned the gang in El Salvador was threatening his family and demanding money, prompting him to arrange passage to New Jersey for his mother, sister, wife and daughter. His sense of safety, he said, was short-lived.

The man claimed a stranger one day approached him with a cell phone. On the line, he said, was a voice he recognized from El Salvador. "You can run across the Earth, but we will always find you," he said he was told. The man said he realized he would have to resume payments or run. Asked how the gang found him, he replied that MS-13 was "everywhere." Despite his insistence he was not involved with MS-13, the inmate appeared to have detailed knowledge of the gang, including its large presence in Elizabeth, Lakewood, Plainfield, Newark and Trenton; its increasing top-down structure, in which leaders in El Salvador call the shots; and its propensity on the East Coast to import members for "special" matters. When asked what he considered special matters, he replied, "You know, crazy stuff. Shootings. Killings. Assassinations." The man said authorities in El Salvador had falsely identified him as a gang member and had framed him for the killing with which he was charged.

It is true that residents of El Salvador are held hostage by MS-13. The country's businesses are gutted by extortion, its young men often forced to choose between the gang and death, its women subject to systematic sexual violence. It is also true that MS-13 members falsely claim to be victims of these conditions when individuals come to the attention of law enforcement in the United States. The inmate in Essex County, asked if he had tattoos, removed his shirt. Several of his tattoos were consistent with membership in MS-13. Questioned about them, he smiled. He had no idea, he said, they were associated with MS-13.

Law Enforcement Strategies

It is clear law enforcement's vigilance has had a dramatic impact on MS-13 in New Jersey. It's equally clear that cooperation with federal immigration authorities has been successful in heading off potential violence by removing from our communities undocumented gang members with criminal histories. In Hudson County, for example, the gang task force and the Department of Homeland Security have jointly conducted periodic sweeps for felons subject to arrest or deportation. The sweeps are conducted in known gang areas and do not target law-abiding residents.

Cities and towns have taken additional measures, combining law enforcement initiatives with integrated strategies to further stifle MS-13's predatory behavior. Union City serves as one example. The Hudson County community has about 70,000 residents and a large population of undocumented immigrants within its 1.3 square miles. Local law enforcement officials acknowledge that many MS-13 members live in the city, but they say the gang does not conduct criminal activity there because of a zero-tolerance approach that involves multiple city departments and the school system. Among the measures:

- The police department regularly engages in community outreach, encouraging residents to report gang activity and proactively conducting field interviews to assess MS-13's impact and behavior.
- Authorities closely monitor public parks, intervening when suspected gang members are loitering. MS-13 members are known to conduct meetings in parks.
- Violent crimes are investigated "expeditiously," regardless of overtime costs or the need to add manpower.
- The city orders building owners to swiftly remove graffiti, such as gang-related tags. Failure to do so results in fines of up to several hundred dollars a day.
- Union City imposes a midnight curfew on those under 18. Violators are brought to a juvenile shelter or held until a parent or guardian picks them up. The department does not drive minors home, a measure meant to increase parental responsibility.
- Police work closely with the city's schools. School Resource Officers are trained to spot signs of gang affiliation and maintain a running dialogue with school staff. When a student is deemed at risk of recruitment into a gang or is believed to have joined one, the resource officer and school administrators hold a conference with the student and his or her parents.
- Bars and restaurants will have their liquor licenses suspended or revoked by the local Alcoholic Beverage Control board if criminal or disorderly activity occurs in the establishments. Law enforcement officials said license suspension has

proven to be more effective than assessing fines in cleaning up troubled businesses. To further prevent the possibility of injury should fights break out in a bar or restaurant, the city prohibits establishments from serving alcohol in glass bottles after 10 p.m.

- The city's building and health departments are enlisted to conduct inspections if a non-alcohol-related business, such as a bodega, is found to be hosting criminal activity or encouraging gang members to loiter. The inspections might result in fines or closure.

For all of law enforcement's efforts to hobble MS-13, open communication with immigrant communities remains a persistent problem across much of New Jersey. In agency after agency, law enforcement officials told the Commission they are making efforts to build relationships with these communities but that many people, principally those who are undocumented, are fearful of deportation or of retaliation by the gang. In some communities, communication is hampered by a simple lack of Spanish-speaking officers. In Hudson County, law enforcement officials said they are making steady improvements with immigrant communities, noting that residents overwhelmingly want to protect their children from recruitment and themselves from the gang's predation. In some areas, church leaders are playing a growing role in bridging the communications gap, urging residents to report criminal activity. It is vital that law enforcement agencies continue these outreach efforts if MS-13 is to be truly marginalized in New Jersey.



*State of New Jersey
Commission of Investigation*