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# Congress of the United States
## House of Representatives

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August 10, 2005

The President
The White House
Washington DC 20500

Dear Mr. President:

I am deeply concerned about illegal immigration in America today. I believe strongly that the relative ease with which people are able to travel across our borders, particularly our southern border, is a vulnerability that al Qaeda will exploit.

Two months ago, I visited El Salvador and talked to a group of former Mara Salvatrucha (MS-13) gang members who were in a program to have their tattoos removed so that they could leave the gang life. All but a few of the two dozen individuals had been to the United States and come back to El Salvador without any legal documents. As you may know, MS-13 is one of the most violent gangs in the country and has established roots in more than 30 states, including my congressional district in northern Virginia. To date, the FBI has assured me that there is no known connection between MS-13 and al Qaeda; however, the ease with which these gang members can cross our borders gives me great pause for alarm.

I have enclosed a transcript from the August 2 "NewsHour with Jim Lehrer" on PBS which investigated the issue of gang violence in America. I have underlined several portions from correspondent Jeffrey Kaye, who led the report on page 1 with this statement: "Twenty-eight people dead and 14 wounded – that was the toll from an assault on a public bus in Honduras last December. The attackers, who sprayed the bus with automatic weapons, were members of a street gang called Mara Salvatrucha, or MS-13. The gang, spread throughout Central America and the United States, has earned a reputation for ruthlessness."

Later in the report, on page 3, Mr. Kaye stated, "One dramatic example of the gangs' mobility: MS-13 member Ebner Rivera-Paz, the accused mastermind of the Honduras bus attack, was captured in Texas in February. *He has been deported four times over the past ten years.*"

I added the emphasis regarding the number of times that particular gang member had been deported to point out why I don't believe our immigration policies have kept pace with the changing realities of the world in which we live. The Department of Homeland Security has a practice of releasing non-Mexican illegal aliens or "OTMs" on their "own recognizance" (OR), rather than detaining them until their court hearing and deportation. This has become such a common practice that many non-Mexican illegal aliens freely give themselves up to the Border

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Patrol, and in some cases actually seek out the agents so that they can get their OR papers. Once an illegal alien has this document, he is free to move about the country. In only the first nine months of this year, DHS has apprehended more than 100,000 OTMs.

While in El Salvador, I heard estimates of more than 500 El Salvadorians crossing the border illegally every week. According to DHS records for 2004, there were nearly 17,000 El Salvadorian OTMs. This is an alarming number, considering that 85 percent of these illegal aliens never return for their scheduled court date and instead often simply disappear into our communities. Many of these individuals are not apprehended until after they commit crimes on American streets and in our communities.

I am the grandson of immigrants. Immigrants are at the foundation of our diverse nation and that diversity is one of our greatest strengths. However, immigrants must follow the law when coming to our country. I can tell you that this is an issue of growing concern to my own constituents. The immigration issue leads the issues I hear about most often from the people I represent.

I urge you to take the lead in engaging your administration on this issue when the congressional session resumes in September. Congress has taken some steps already this year, but a comprehensive solution is needed. Leadership from the White House can help focus the national dialogue to find a comprehensive solution which Congress can vote on this fall. Time is becoming critical.

Best wishes.

Sincerely,

Frank R. Wolf
Member of Congress

FRW:cs
enclosure

# GANG VIOLENCE

August 2, 2005

Both government and police officials in the U.S. and Central America are attempingt to curb the violent activity of growing transnational street gang MS-13.

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JEFFREY KAYE: Twenty-eight people dead and 14 wounded -- that was the toll from an assault on a public bus in Honduras last December. The attackers, who sprayed the bus with automatic weapons, were members of a street gang called Mara Salvatrucha, or MS-13. The gang, spread throughout Central America and the United States, has earned a reputation for ruthlessness.

MS-13 was born 20 years ago in Los Angeles, in a neighborhood of Central American refugees. It's an area where gang violence remains epidemic. In the past five years, LA has seen more than 23,000 violent crimes attributed to gangs, according to police.

In neighborhoods often marked with graffiti, MS-13 members extort money from prostitutes and drug dealers. Police say MS-13 stands out for its viciousness, often victimizing law-abiding residents and merchants, such as flower seller Susana Antillon.

SUSANA ANTILLON (Translated): At about 11:00 every night in my neighborhood, they gather together in cars and then they head out to graffiti different places, do robberies, assault people, break windows. It's a disaster, just a disaster.

JEFFREY KAYE: In an operation that began this February, agents from ICE, U.S. Immigration and Customs Enforcement, along with local police, have staged raids on violent street gangs across the U.S. They've arrested more than a thousand accused gang members, including hundreds they say are MS-13 members.

According to the FBI, MS-13 has as many as 10,000 hardcore members active in 33 states and Washington, D.C. As police have conducted sweeps, legislation to make crimes committed by street gang members federal offenses has moved through Congress. The bill, which passed the House and is now before the Senate, would also impose mandatory minimum sentences for gang crimes, and would treat some juvenile gang defendants as adults.

REP. J. RANDY FORBES: It's in the suburbs. It's everywhere across the country.

JEFFREY KAYE: Virginia Congressman J. Randy Forbes, author of the so-called "gangbusters bill," says a police surveillance tape from northern Virginia is vivid proof that gangs like MS-13 have spread beyond the inner cities.

REP. J. RANDY FORBES: This particular tape was taken in one of the most affluent areas in northern Virginia. It was out in daylight in a public park. And it shows the brutality that

these gangs have. This is activity they were doing to their own members, in terms of disciplining those members.

JEFFREY KAYE: MS-13 members have been linked to particularly gruesome crimes.

REP. J. RANDY FORBES: They're cutting off people's heads, they're cutting off their fingers, they're cutting off their arms.

JEFFREY KAYE: Another example of the gang's brutality, the 2003 murder of 17-year-old Brenda Paz, prompted Forbes' bill.

Paz had become an informant against MS-13. Gang members stabbed the pregnant teenager 16 times, and left her body on the banks of the Shenandoah River in Virginia.

That level of viciousness, and indeed the gang itself, has its roots in the civil wars of Central America. In the late '70s and throughout the '80s, hundreds of thousands of refugees fled to the U.S. from El Salvador, Nicaragua and Guatemala. Many came to a Los Angeles neighborhood that's among the poorest and most crowded west of the Mississippi.

ALEX SANCHEZ: There's about ten gangs in the one-mile area. Right here is called La Raza Loca.

JEFFREY KAYE: Alex Sanchez is an organizer with Homies Unidos, a gang intervention program with offices in L.A. and El Salvador. On a recent orientation tour for interns, Sanchez described a city he knows as a patchwork of gang territories.

ALEX SANCHEZ: Now, as soon as we cross this street, there's another gang by the name of the Orphans.

JEFFREY KAYE: Sanchez arrived in Los Angeles from El Salvador in 1979 at the age of seven.

ALEX SANCHEZ: I have seen dead bodies and decapitated bodies in El Salvador when I was only five years old, and I still remember those images.

JEFFREY KAYE: He says the armed conflicts left deep scars on immigrant families.

ALEX SANCHEZ: Many of these people's parents were involved in the war, either in the military or the guerilla. And they came fleeing that war into this community, you know, where a lot of them were dealing with the trauma of war.

JEFFREY KAYE: Sanchez joined the MS-13 gang when he was in junior high school. Since then, he's been shot by rival gang members, and he's served prison time for auto theft and weapons possession.

ALEX SANCHEZ: So we're coming up on the mural.

JEFFREY KAYE: By the 1980s, gangs were already entrenched in the neighborhood; one, the 18th Street Gang, dominated. A wall mural portrays that gang's history, a record that includes a brutal rivalry with MS-13. 18th Street, composed mostly of Mexican-Americans, resented the newcomers and often fought them.

Officer Frank Flores, a member of an anti-gang unit of the L.A. Police Department, says MS-13 formed in part as a means of self-protection, but that as money, drugs and weapons became more plentiful, gang violence escalated.

OFFICER FRANK FLORES: Most of these members coming from the war-torn countries where, you know, killing was a regular occurrence – violence, beating people up, stabbing people, seeing people die. I mean, they were desensitized. So, when it came time for them to deal with rival gang members, I mean, their readiness to commit a violent act was nothing; it was second nature.

JEFFREY KAYE: Starting in the late '90s, police cracked down hard. Some rogue cops from an anti-gang unit were brutal, and were eventually convicted of misconduct. Prosecutors also obtained injunctions that prohibit gang members from congregating in public. As law enforcement turned up the heat, and as Central Americans moved to other cities, MS-13 members spread.

OFFICER FRANK FLORES: They are so mobile, and they are so easily... I mean, they're easy for them to travel, especially when you have other cities with cliques and they're able to go and find friendly faces and hide out within those communities as well.

JEFFREY KAYE: Deportation flights further contributed to the gang's spread. In the late '90s, the U.S. government started deporting non-citizens convicted of crimes. It sent planeloads back to Central America, including thousands of gang members expelled from the streets of LA. Their arrival helped fuel gang violence in Central America.

In response, governments there aggressively went after suspected gang members, rounding them up and jailing them. Human rights groups have complained that innocent people have been jailed, and that prisons are overcrowded.

In El Salvador and Honduras, recent riots and fires in cell blocks containing gang members killed nearly 200 prisoners, many of whom had not been convicted of crimes. Because of crackdowns in Central America, many gang members are fleeing back to the U.S.

OFFICER FRANK FLORES: Definitely a cause and effect. I mean, just like here in Los Angeles, we're cracking down on them, they're going somewhere else. Definitely it's a cause and effect from Central America.

JEFFREY KAYE: One dramatic example of the gangs' mobility: MS-13 member Ebner Rivera-Paz, the accused mastermind of the Honduras bus attack, was captured in Texas in February. He has been deported four times over the past ten years.

As police step up anti-gang activity, proponents of tough anti-gang laws say those measures will help law enforcement make up for lost time.

REP. J. RANDY FORBES: After 9/11 our focus was on terrorism and homeland security, and we did lose our focus a little bit on what was taking place with this huge rise of gang activity within our own midst.

SPOKESPERSON: All right, so the first question I am asking you to define your self-esteem.

JEFFREY KAYE: But supporters of gang intervention programs like this one at Homies Unidos, say the priority should be prevention and rehabilitation, rather than harsh punishment.

ALEX SANCHEZ: It's not solving the problem. It's just the putting a bandage over the problem, you know, because you're not dealing with the real root cause of the problem.

You know, you still have kids joining gangs as small as, you know, junior high. And you have kids that are in elementary already knowing, you know, the gang structure and already knowing about gangs.

REP. J. RANDY FORBES: There's no question that, when you look at the gang problem, it is a multifaceted problem. But the best analogy that I can give you is if you walk into a doctor's office and you have cancer, you don't want that doctor to spend two hours telling you about how you got the cancer.

You don't want him to spend two hours telling you about how you could have prevented it or how your family members could prevent it. What you're telling him at that time is, "Get rid of this cancer that I have and then I'll talk to you about some of the other causes and the preventions."

JEFFREY KAYE: As gangs move across borders, officials are discussing international gang crackdowns. This summer, government representatives from the U.S., Mexico and Central American nations agreed to better coordinate their anti-gang efforts.



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