

# CRIMINAL GOVERNANCE IN ELSALVADOR

**Extortion as a tool for control** 

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COALITIONS FOR RESILIENCE

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### Canada

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## **SUMMARY**

This policy brief describes how gangs have shaped the dynamics of extortion in El Salvador. It shows how extortion affects victims and how citizens are forced to adapt to the gangs' demands. National

### **Key points**

- The current extortion mechanisms of the gangs known as Mara Salvatrucha (MS-13) and Barrio 18 took shape at the beginning of the 2010s, but they are rooted in much older criminal dynamics.
- In recent years, gangs have focused on establishing and managing a regular income stream.

authorities must create and implement stronger public policies and strategies to counter criminal governance in El Salvador.

- Many people are victims of regular extortion demands, referred to as 'rent'.
- Extortion has social and psychological consequences in addition to financial ones. Victims may live in permanent states of stress, anxiety, hopelessness or helplessness, and distrust institutions or even their neighbours.



Villagers walk in Ilopango, San Salvador, a territory controlled by Barrio 18, one of El Salvador's two main criminal gangs. © Giles Clarke/ Getty Images

# **GANGS OF EL SALVADOR**

S-13 and Barrio 18, El Salvador's two main criminal gangs, originated in Los Angeles, California, and arrived in El Salvador in the 1990s following the deportation of gang members from the United States. Like most Hispanic gangs in Los Angeles, its members were young immigrants or the children of immigrants, whose identity revolved around an ethnic sense of belonging,<sup>1</sup> in addition to refugees fleeing the Salvadoran civil war (1980–1992).<sup>2</sup>

Both Barrio 18 and MS-13 were embedded in a complex ecosystem of hundreds of gangs, known as Sur (Southern United Raza),<sup>3</sup> operating in southern California. These were led by the so-called 'Mexican Mafia',<sup>4</sup> made up of members from the region's largest and most prominent gangs who established the rules that governed all affiliated groups. In 1989, conflict arose between Barrio 18 and MS-13,<sup>5</sup> which sparked an open war on the streets of Los Angeles. In 1992, after the Chapultepec Peace Accords were signed, ending the Salvadoran civil war,<sup>6</sup> thousands of Salvadorans – including hundreds of gang members – were deported to their country of origin.

These newly arrived gang members expanded their groups in two ways. First, they heavily recruited new members, most of whom joined voluntarily. The ideas the gangs were promoting appealed to many young people – veteran gang members interviewed for this report stated that it was easy to attract dozens of new members. Secondly, they triggered a war with almost all the existing criminal organizations in the country, such as gangs in the slums, student gangs and gangs specializing in an array of crimes. Before long, these groups had been eliminated, displaced or absorbed by MS-13 and Barrio 18.

In the early 2010s, the gangs underwent internal changes as a result of policies cracking down on suspected gang members that led to the arrest and

imprisonment of thousands of members.<sup>7</sup> While MS-13 and Barrio 18 had already eclipsed other criminal groups on the street, they had not yet done so in jails and prisons, where they then began to cooperate to survive challenges from rival groups. Gang members who would not have known each other on the streets suddenly became close in jails and began to collaborate, which gave rise to more elaborate organizational structures with strong leaders and the ability to operate at the national level. This situation grew more acute in 2004 when the government allocated exclusive prisons to MS-13 and Barrio 18 gang members.<sup>8</sup>

The way the gangs supported themselves financially also evolved. Whereas they had previously relied on a range of tactics, from 'voluntary collaborations' with neighbourhood residents to mugging and kidnapping, they now needed more stable sources of income to support their growth. This is when the idea of consistent, widespread extortion emerged.

This study aims, on the one hand, to describe the dynamics of extortion in El Salvador in light of the structure and functioning of the country's gangs. On the other hand, it accounts for the ways in which victims suffer and adapt to the negative effects of this criminal governance. With the aim of informing the implementation of strategies to counter extortion in El Salvador, this policy brief captures insights shared in interviews by perpetrators and victims of extortion, as well as data shared by national authorities on the growing pervasiveness of this crime. Interviewees consisted of six victims of extortion, including public-transport entrepreneurs and business owners, four gang members, two security and justice officials, and two subject-matter experts.





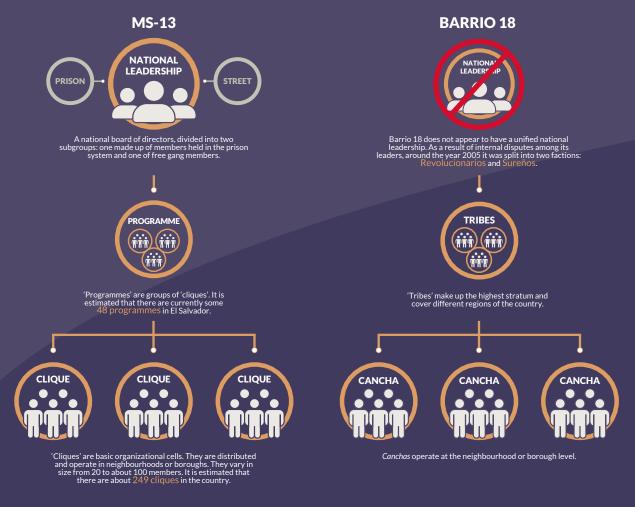
MS-13 and Bario 18 rely on fear and intimidation when extorting payments from those operating within territory under their control. © Jan Sochor/Getty Images

# SYSTEMIC EXTORTION BEGINS

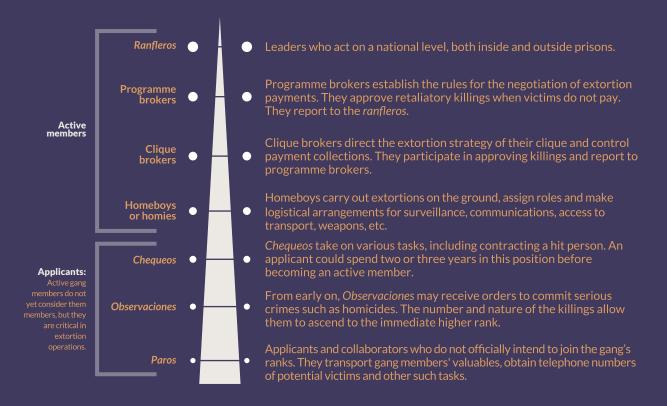
S-13 and Barrio 18's current extortion mechanisms took root in the early 2010s and gradually became their primary source of financing. They initially focused heavily on the transportation sector. El Salvador's bus routes are public, but the buses themselves, while publicly subsidized and regulated, belong to private companies. According to the gang members interviewed for this paper, the sector was an ideal target because it is cash-based and the buses operate in gang-controlled areas. At first, gang members charged bus drivers between US\$1 and US\$5 per trip to enter their territory and attacked them if they did not pay. They went on to extort bus owners directly, sometimes leading to their bankruptcy.<sup>9</sup> The gangs then acquired the bankrupt bus lines and entered the transportation business themselves.

The extortion of bus drivers and passengers was not new – it had been a tool of the guerrilla contingents and their paramilitary counterparts during the civil war. But the gangs' widespread, systemic use of transportation extortion sets them apart.<sup>10</sup> This is not the only connection between civil war-era tactics and current gang tactics: in downtown San Salvador, there has been a thriving informal economy since the 1990s, where gang members have illegally charged vendors to operate there. This is an extension of earlier extortion dynamics that emerged during the 1970s, when people displaced by the armed conflict began arriving in the city without state support. Local leaders eventually created informal trade associations and illegally charged farm vendors in exchange for some level of protection from municipal authorities who wished to evict them.

#### **GANG STRUCTURES IN EL SALVADOR**







#### FIGURE 2 Hierarchical structure of MS-13.

NOTE: These figures are simplified models of gang structures that may not reflect the complex reality of these organizations.

When gangs first appeared on the scene, they clashed violently with these existing associations. They eventually prevailed and imposed their extortion schemes – not unlike those of the associations that came before them – on informal vendors. Today, as with public transportation, gangs extort vendor associations directly rather than targeting individual affiliates, and association leaders are responsible for collecting money from each vendor. This streamlined system saves gangs time and is likely to increase their income – it also reveals their ability to evolve and adapt.

### **Official figures**

In recent years, reports of extortion filed with the police have decreased, from 2 242 in 2015 to 1 345 in 2020 (Figure 3).

To understand the possible effect of the COVID-19 pandemic on extortion, Figure 4 shows the statistics disaggregated by month for the last three years. Between February and April 2020, reports of extortion filed with the police decreased; subsequently, there was a rise between August and October. These periods correspond to the beginning and the ending of the national lockdown. At the end of 2020, numbers were similar to those of 2018, which may indicate that the illegal economy depends on the legal economy.

In July 2019, President Nayib Bukele's second month in office, there was a notable peak in extortion complaints, followed by a sustained decline for the rest of the year. The government posits that this decline is the result of the Territorial Control Plan, a public-safety policy whose actual content has not been disclosed to the public. Others, however, suggest that the decline is due to an agreement between the government and the gangs.<sup>11</sup>



### FIGURE 3 Reports of extortion in El Salvador, 2015–2020.

SOURCE: National civil police, El Salvador, https://transparencia.pnc.gob.sv

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**FIGURE 4** Reports of extortion in El Salvador, disaggregated by month, 2018–2020. SOURCE: National civil police, El Salvador, https://transparencia.pnc.gob.sv

The data on police reports can be interpreted in different ways: an increase in complaints may indicate that extortion is becoming more rampant, or it may suggest greater public trust in the reporting system. Meanwhile, extortion continues to be one of the most prevalent crimes reported by those held in Salvadoran prisons, second only to homicide. In addition, although the number of people in prison for extortion has increased slightly, from 6 045 in 2015 to 7 888 in 2020, there is a slight decrease in percentage terms, as shown in Figure 5.



**FIGURE 5** Percentage of extortion among the most common crimes in the prison system of El Salvador, 2015–2020.

SOURCE: General ofice for criminal centres, El Salvador, http://www.dgcp.gob.sv/?page\_id=250



El Salvador has one of the highest percentages of imprisoned people globally, many of whom are alleged members of MS-13 or Barrio 18. © Giles Clarke/Getty Images

# **FOLLOWING THE MONEY**

angs extort their victims based on what they can realistically afford to pay, so that they can become a long-term source of income. Hence, the extortion process requires first gathering as much information as possible on how victims manage their businesses. One of the gang members interviewed explained this process as follows:

We must do business smartly. Information usually comes from the inside – the employees or even the family. We check if they have security, a safe, if the owner is armed, if they amass cash in the shop or take it to the bank or home every day. We must know all that before we call them. We look for someone who works there and convince them, offering something or telling them that their lives are in danger if they don't help us. In El Salvador, most employees are exploited and not happy with their employers.<sup>12</sup>

As part of this information-gathering process, gang members get to know the daily routines of their victims: 'When you call them, you tell them: "Today you went out at this time, in such-and-such car, with a shirt of this colour, and you went to this place or that place", so that they know you know everything about them.'<sup>13</sup> This process also includes confirming that the opposing gang is not already extorting the victim. If they are, leaders decide whether it is worth starting a local war with a rival group. However, when a business is already being extorted by a cell of the same gang, the leaders of the two cells resolve the conflict. If this escalates and leads to deaths, senior gang leaders step in and choose which faction will keep the business, based on each cell's strength and the territories they control.

The first interaction with the victim is to make contact: 'First, you send a child with a phone, or you call the person's phone directly. You identify yourself without much detail but ensure they know who you are. And you tell them that they will give you a certain amount of money; otherwise, there will be consequences.'<sup>14</sup> All of the details

are worked out before the gang collects the money in person, which gang members agree is the riskiest moment of the extortion process because the victim might fight back or involve the police. In the words of a gang member: 'People get tired, fed up. And when you go collect the money, that's when they might surprise you.'<sup>15</sup> To mitigate this risk, gang members prefer to collect the money at a site they control and take steps to monitor the victims' movements. One interviewee described these precautions as follows:

If you are talking to the business owner and they say: 'Look, I'm getting really nervous, talk to my brother or uncle', that other person could be the police, and they could have an operation set up. You must watch the house or the business the night before to see whether police officers come to sleep there or not.<sup>16</sup>

#### Modus operandi of gangs in El Salvador

The gangs' extortion operations include the following components:

- Information gathering: They obtain the telephone numbers of potential victims (by pressuring employees to provide employers' numbers, for example), track their daily movements, and obtain information on where they keep their money and the security measures they take.
- **Negotiation:** They establish how much the victim will pay and how frequently.<sup>17</sup>
- Use of the money: Finances obtained from extortion are usually used to pay for housing, food, medical care, weapons, drugs and family support.
- Reprisals: If victims do not comply with their demands, the gangs respond with threats and property damage, and killing or injuring the victims, their employees or their families.

In addition to money, gangs may demand products or services from their victims. For example, an MS-13 clique began ordering propane gas from a store and gradually took over the store's gas distribution entirely, displacing the original owners. Another MS-13 clique forced a car-washing business to clean the cars people were murdered in or that had been used to transport bodies.

If cell leaders doubt the security of an extortion operation, they send the less important gang members, usually 'applicants', to carry it out. If they are captured by the police, they can easily be replaced and will not be able to disclose too much information to the authorities. Women are included in this group and play three roles in extortion operations: providing logistical support (transferring money, drugs, etc.), deceiving victims through false calls or social media accounts, and serving as 'treasurers' – the most prestigious role available to them.

Another crucial component of extortion proceedings is preparing a sequence of attacks on victims, their employees or their families. Gang members say that increasing violence is used to exert progressive pressure on victims over time. Violence may start with damage to property or minor injuries: 'You can burn one of their cars, leave a couple of spent bullets at their door, beat up an employee.'<sup>18</sup> The intention is to avoid attracting the attention of the authorities while instilling enough fear for the victims to meet the extortion payments. This chain of violence can culminate in homicide.

According to gang members, victims rarely refuse to pay. However, those in some sectors put up more resistance than others: 'The livestock farmers and old men who

have dairy businesses, or things like that, rural businesses, they are the roughest, those men are armed,' said one gang member.<sup>19</sup> According to judicial records, MS-13 cliques in rural areas finance their operations both through extortion of farmers and ranchers, and by setting up their own legitimate sources of income, such as purchasing and raising livestock themselves.

The income from extortion is mostly funnelled to gang leadership. A former member of the MS-13's leadership reported the following: 'I had a salary, house payments, my own gun, a car, money for petrol and, from time to time, a bonus if I wanted it.'<sup>20</sup> He reported that the creation of 'programmes' was meant to distribute gang income equitably so that cliques unable to raise money from extortion because they were located far from economic centres would have access to funds from the programme. This structure also allowed programme leaders to use gang members from poor cliques as cannon fodder to retaliate against extortion victims.

According to the same source, money has typically been managed by imprisoned gang leaders who divvy up resources. However, an increase in government measures to isolate inmates has affected the relationship between prisons and the streets, giving cell leaders greater power over financial decisions and decreasing the amount they must pay in tribute to imprisoned gang leaders. This shift towards more low-level decision-making has sometimes led to infighting. Both gang members and officials interviewed believe that MS-13 is focusing on increasing its illicit capital in order to move towards money laundering. They are using extortion money as seed capital to create legitimate-seeming business ventures such as motel ownership or running a taxi fleet.

### Gang life in San Salvador

ento grew up in the Mejicanos municipality in the suburbs of San Salvador. His father died when he was a child, and his mother worked as a salesperson in downtown San Salvador. Facing abuse at home and attracted to the status enjoyed by gang members, when he was nine, Lento began to approach the student gangs that dominated downtown San Salvador before the arrival of MS-13 and Barrio 18. In the late 1990s, the two Californian gangs began expanding and recruiting widely, competing for members.

Lento did not ultimately join MS-13 but participated in meetings and low-profile actions. Disenchanted by the despotic attitudes of local leaders, he cut off contact with MS-13 members and began interacting with Barrio 18, even though it meant he would not be able to visit his mother, as her neighbourhood was an MS-13 stronghold. This separation from his family further entrenched his involvement with the gang: he became an active Barrio 18 member and the leader of an important cell. He has a long history of extortion and other crimes, has been in prison and has repeatedly left and rejoined the gang.

Lento's gang life largely unfolded in the centre of San Salvador, where he demanded money from local salespeople, robbing them or assaulting them if they did not comply. The victims had some say in how much they paid, and the gang did not systematically charge them a regular amount. This would change with the introduction of regular quotas.

The gang's extortion revenue escalated to such a degree that, in 2005, Lento's cell was bringing in more than US\$50 000 a month, enabling previously poor members to buy mobile phones, legally purchased vehicles, weapons and safe houses. However, the illegal gang economy grew faster than Barrio 18's ability to manage it. The money not only had to cover the costs of their battles with MS-13, it had to fund gang members' expenses and be passed on to their families. The need to administer extortion income led

to an organized system: gang leaders would receive a salary, a car, home payment and a weapon; recognized members of the group, even if they were not leaders, would receive a smaller amount, but one that would allow them to pay for certain amenities; and low-level gang members would receive enough to survive and some other perks, such as clothing and bonuses. Lento was recognized for his bravery and leadership, and his status allowed him to earn about US\$500 a month and live in a private development.

However, internal gang dynamics change quickly, and there is often rapid turnover in leadership positions as high-ranking members are killed, overthrown, replaced or imprisoned and low-ranking members try to ascend in the hierarchy. Internal wars became the norm within gangs. Furthermore, by 2009, the police had refined a series of strategies to crack down on extortion, and dozens of gang members, including Lento, were arrested and charged. He spent eight years in prison.

While in prison, Lento joined a church and an evangelical movement and left the gang for a while. When he was released, he continued to be affiliated with the evangelical movement and initially did not participate in gang activities, but, within a few months, his family's financial situation prompted him to rejoin Barrio 18. In 2016, he took the reins of his cell but lost his position - and accompanying income - following a sort of mutiny attacking him for the same despotic attitudes he had once resented in gang leaders. Now, Lento lives in an ambiguous limbo, still participating in the evangelical movement and maintaining a close relationship with the gang. In fact, one of his sources of income involves mediating between his former cell members and small businesspeople who pay him in cash or in kind for help in reducing or suspending their extortion payments.



The public transportation sector has been strategically targeted by gangs in El Salvador over the last two decades. © Camilo Freedman/ SOPA Images/ Getty Images

# **VICTIMS' PERSPECTIVES**

he victims consulted for this report confirm that extortion dynamics were already in place before the Salvadoran civil war. One of the victims – who currently works in public transport – was extorted in the late 1970s:

I sought help from a police captain, and I told him [that I was being extorted]. He sent some detectives. When [the perpetrators] came to my house for the second time and left me a piece of paper asking for 10 000 colones, I was able to identify them. They were neighbours: the son of a neighbour who had a brothel, along with a soldier. They were not guerrillas, but they were pretending to be.<sup>21</sup>

The mechanisms of these extortions were rudimentary – a note under the door with explicit threats – as were the ways to counter them. The source gave the police captain the names of his neighbours: 'Three days later, he called me and said, "Go to the ravine; I left you something there." I went and saw the two corpses.' At the recommendation of the captain, the victim sold his house and left the area. He feared reprisals from the extortionists' families and knew that the police could not protect him.

Gangs now have more sophisticated extortion operations in place, and victims still lack official protections. Other interviewees, with much more recent experiences, report that extortion cycles began to affect them in the early 2010s. Those working in public transit felt the effects most severely. A source noted: 'At first, gang members would get on the bus every time it passed their territory and ask the driver for some coins. It was almost like a favour. Later, they established fixed quotas.'<sup>22</sup> Gangs escalated to killing bus drivers and bus-line owners, and the ripple effects worsened. Not only do victims need to restart their lives, but business owners are forced to lay off employees to lower operating costs. Sometimes, gangs demand that the owners hire gang members to do jobs like washing the buses, and employees in those positions are forced out of a job or must join the gang to continue working.

The consequences of extortion are not only financial but also social and psychological. As one victim put it: 'When you pay, there is some peace of mind. But I've become depressed. Because the situation is out of control, I don't feel like taking care of my business ... The gangs have a psychological effect on you. This would be over if we could all learn to outsmart them emotionally.'<sup>23</sup> Victims experience permanent states of stress, anxiety, hopelessness and a sense of helplessness, and they distrust formal institutions and their neighbours. They avoid drawing attention to themselves – through their lifestyle, businesses or appearance – for fear of again being the target of extortion. They avoid social media so as to not unintentionally provide useful information to future extortionists. In these attempts to protect themselves, they cause their businesses to stagnate.

Victims are also reluctant to file complaints because they doubt the police can help them. Some even feel the police collude with the gangs. As an interviewee described it:

I never filed a complaint. I spoke to a detective once, and he said: 'The police will not take care of you. Your name, the name of your business ... everything will be revealed. The lawyer will know and can tell [the gangs]. So, you are not even going to get a second hearing.' He practically told me not to do it.<sup>24</sup>

Finally, the extortion victims interviewed stated that they frequently think about the possibility of emigrating. As one source noted: 'Those *gringos* complain and complain about the illegal immigrants. Do you want to stop immigration? End extortion in El Salvador.'<sup>25</sup>

### Living with extortion

ne interviewee has been a businesswoman for 14 years and a victim of permanent extortion for 11. She owns five small wholesale clothing shops in areas controlled by either MS-13 or Barrio 18, and has learned to interact with the gang cells. She believes she was identified as a potential victim because owners of neighbouring businesses gave her information to the gangs.

In August 2009, two MS-13 members arrived at one of her shops. She had been following media reports on gang extortion and had prepared herself psychologically. She recalls: 'I stepped to one side of the counter and said I would take care of them. I stayed calm and told them I was expecting their visit because of what I had heard in the media. I explained that I was prepared to cooperate but that we had to reach an agreement because I wanted to work.' One of them took a threatening tone, while the other told him to calm down and said that they were going to talk. They initially asked her for US\$75 to be collected on the last day of each month, starting immediately. Despite their hostility, she was able to negotiate: they agreed to US\$30 a month, which she felt she could afford.

With Barrio 18, it was different. They first approached her shop in 2014, left a message with an employee and left a mobile phone they would use to communicate before establishing in-person contact. At first, they asked her for a one-off payment of US\$1700 and gave her no room to negotiate. Then they set a monthly fee of US\$75.

The woman explained that the monthly amount increases sometimes, especially for the most productive shops: 'If they see that the business is thriving, they don't show any mercy. They get tougher.' With MS-13, her monthly payments started at US\$30, and now she pays US\$60, while her US\$75 payment to Barrio 18 has not changed. Although she used to negotiate directly with the extortionists, her family asked her to stop. Now a friend who is a policeman poses as her husband to negotiate on her behalf. The agreements they reach are not always permanent. 'It is possible to work in peace for about three months, at most. Then they come to ask for more payments.' She is concerned about the impunity with which gang members operate. 'We have video cameras, but they don't care because they know that the authorities do nothing. They are not afraid of being reported because the cases do not reach a successful conclusion. The case falls apart in the initial hearings because [gang members] threaten the victims.'

Extortion victims even fear the police: 'We are afraid because the police don't investigate. If they see that I am giving money to the gang members they are monitoring they'll say that I'm financing the gang. We have it bad on both sides. No one protects us. If we don't give them money, they may kill us, and if we do, the police will put us in prison or on trial, and nobody wants that.'

She knows that if she does not meet the payments, she is in serious danger: 'They threatened me and those who work with me. Thank God they don't know more about my family because I have taken precautions,' she says. The payments must be in cash and in person. Bank deposits are unacceptable as it is likely they could expose the gangs.

If everything goes as planned, the gangs offer her security, protection and a guarantee that her shops will not be robbed and that no one will bother her. If anything happens, she can contact them. She recalls: 'Before paying "rent", my son and I were mugged and threatened with guns.' These assaults ended when she began meeting the extortion demands.

The woman notes that there are areas with less of a gang presence, but they usually have fewer people and businesses are not profitable. Therefore, moving to the countryside is not an attractive alternative. 'I think this is just for a while. While I gather strength, raise money and pay my debts, because I want to leave the country.' She has sold two vehicles and requested the necessary documents to move to another country. She fears for her children. Although she has done well economically, she does not want to leave the business to them for fear that they will be killed or kidnapped. 'If it were not for extortion, I could live well with this. This is draining ... Sometimes, when I'm driving, I prepare myself emotionally because I feel they're going to shoot me in the head. This is no life.'

# **RECOMMENDATIONS**

ictims of extortion in El Salvador live with financial, social and psychological consequences. This crime has degraded trust between neighbours and faith in institutions. Recommendations for countering extortion include official, institutional responses and unofficial, individual measures that people can take to protect themselves. Some steps have been taken towards implementing these measures, but the lack of rigorous evaluation of their results and impact on public safety makes it difficult to identify what has and has not worked in recent years.

### **Recommendations for governments:**

- Strengthen law enforcement institutions' ability to interfere in extortion cases through telephone interventions or controlled deliveries of money.
- Promote transparency and access to high-quality data to conduct statistical analysis that will shape the creation and implementation of public policies.
- Encourage citizen participation and collaboration: people should feel safe filing complaints and sharing information. This will require strengthening the programmes that protect victims of extortion.

### **Recommendations for potential victims:**

- Maintain a low profile.
- Do not share any information of your business with employees, neighbours and others.
- Establish a relationship with the local police office in order to be able to collaborate with them effectively.

San Salvador. A lack of trust in authorities prevents extortion from being adequately addressed. © Giles Clarke/Getty Images

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undermine its periods of stability. Decades later, the gangs employed similar tactics, such as the 2015 stoppage meant to demonstrate their strength during negotiations with the administration of former president Salvador Sánchez Cerén.

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- 25 Interview with an extortion victim, San Salvador, January 2021.



#### ABOUT THE GLOBAL INITIATIVE

The Global Initiative Against Transnational Organized Crime is a global network with 500 Network Experts around the world. The Global Initiative provides a platform to promote greater debate and innovative approaches as the building blocks to an inclusive global strategy against organized crime.

#### www.globalinitiative.net

