

June 6, 2022

**VIA ELECTRONIC TRANSMISSION**

The Honorable Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

Dear Attorney General Garland:

On August 3, 2021, I sent you a letter asking about Joint Task Force Vulcan (JTFV), a strategic and comprehensive collaboration between federal, local, and international law enforcement to combat and disrupt MS-13.<sup>1</sup> Seven months later, my office received your reply reassuring me that anti-gang efforts were still being vigorously pursued at the Department of Justice (DOJ).

However, on January 18 of this year, I sent you a letter requesting a briefing on the data collection methods, procedures, efforts, and reports of gang-related apprehensions and deportations, as well as the steps federal law enforcement are currently taking against gang-related immigration offenses and gang-related crimes, by the appropriate personnel at the DOJ. While the Federal Bureau of Investigation (FBI) and Department of Homeland Security (DHS) both responded to similar letters in a timely manner, the DOJ has failed to do so.

Gangs continue to be a danger to our society and to our young people. They recruit disaffected youth.<sup>2</sup> They operate recruitment and drug distribution out of schools.<sup>3</sup> According to the most recent Bureau of Justice Statistics data, nine percent of students in middle school and high school reported a gang presence at their school.<sup>4</sup> If we want to be serious about school safety, we need to work to eliminate the threat and presence of gangs on school campuses.

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<sup>1</sup> Press Release, Dep't. of Justice Off. of Public Affairs, *Department of Justice Releases Report on its Efforts to Disrupt, Dismantle, and Destroy MS-13* (Oct. 21, 2020), <https://www.justice.gov/opa/pr/department-justice-releases-report-its-efforts-disrupt-dismantle-and-destroy-ms-13>.

<sup>2</sup> *Mara Salvatrucha*, ENCYC. BRITANNICA, <https://www.britannica.com/topic/Mara-Salvatrucho> (last visited Jan. 13, 2022) ("The majority of [MS-13's] members are between the ages of 11 and 40. . . ."); *see also, e.g.*, Damien Gayle, *Drugs gangs recruiting children from small towns, research reveals*, THE GUARDIAN (Apr. 26, 2018), <https://www.theguardian.com/society/2018/apr/26/rise-in-child-drug-runners-recruited-from-small-towns-research>; Anna Harris, *Possible gang members attempt recruitment of Sterling Middle students*, LOUDON TIMES-MIRROR (May 1, 2015), [https://www.loudontimes.com/news/possible-gang-members-attempt-recruitment-of-sterling-middle-students/article\\_758a3cec-d74b-5475-858e-d3a6e7f915a0.html](https://www.loudontimes.com/news/possible-gang-members-attempt-recruitment-of-sterling-middle-students/article_758a3cec-d74b-5475-858e-d3a6e7f915a0.html).

<sup>3</sup> NAT'L GANG INTEL. CTR., 2009 NATIONAL GANG THREAT ASSESSMENT 6 (2009), <https://www.fbi.gov/file-repository/stats-services-publications-national-gang-threat-assessment-2009-pdf/view>.

<sup>4</sup> INSTITUTE OF EDUC. SCIS., REPORT ON INDICATORS OF SCHOOL CRIME AND SAFETY: 2020 10 (2021), <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/iscs20.pdf>.

However, the American public and Congress alike lack access to current gang-related data. The National Gang Center's National Youth Gang Survey stopped reporting in 2012.<sup>5</sup> The last Attorney General's Report to Congress on the Growth of Violent Street Gangs in Suburban Areas was submitted in 2008.<sup>6</sup> While the DOJ collected data on the immigration status of the MS-13 defendants it prosecuted from 2016 to 2020,<sup>7</sup> it is unclear whether the DOJ continues to do so.

I would like to know the following:

1. How are the agencies under your authority tracking this issue? Which data collection policies or procedures have been changed under the Biden Administration? What changes to the collected data have resulted from such changes?
2. What are these agencies finding in terms of trends?
  - a. What is the estimated gang membership in the United States? How many gangs are estimated to be operating within the United States? What percentage of these are local, national, and transnational?
  - b. Which gangs have shown the most growth in the last two years? Are the fastest-growing gangs primarily local, national, or transnational? Is gang growth caused primarily by local recruitment efforts or immigration?
  - c. Which crimes are these gangs committing most frequently? Has this changed in the last two years? Are these gangs using new tools, methods, or networks to commit certain crimes?
  - d. To what extent and on which kinds of criminal activity do gangs cooperate?
3. Which sections of the criminal code currently provide the best tools for enforcement? Which impede the effective investigation or prosecution of gang-related crimes? What additional legislative tools might be helpful or necessary to assist in these agencies' efforts?
4. What state-based reporting issues affect data collection and accuracy?
5. What new initiatives are the agencies under your authority undertaking on this issue? Which existing initiatives have proved the most helpful?
6. What further steps can be taken to combat gang-related criminal offenses?

I am deeply concerned that Congress, as the principal oversight authority of your agency, lacks significant insight into this nationally prevalent issue. A briefing by the relevant agencies under your purview to address the above questions would do much to correct this concern.

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<sup>5</sup> NAT'L GANG CTR., NATIONAL YOUTH GANG SURVEY ANALYSIS: MEASURING THE EXTENT OF GANG PROBLEMS, (last accessed Jan. 13, 2021), <https://nationalgangcenter.ojp.gov/survey-analysis/measuring-the-extent-of-gang-problems#estimatednumbergangs>.

<sup>6</sup> U.S. DEP'T OF JUST., ATTORNEY GENERAL'S REPORT TO CONGRESS ON THE GROWTH OF VIOLENT STREET GANGS IN SUBURBAN AREAS (2008), <https://www.justice.gov/archive/ndic/pubs27/27612/index.htm>. This report was submitted in accordance with the Commerce, Justice, Science, and related Agencies Appropriations Bill 2008 (H. Rept. No. 110-240, July 19, 2007).

<sup>7</sup> U.S. DEP'T OF JUST., FULL-SCALE RESPONSE: A REPORT ON THE DEPARTMENT OF JUSTICE'S EFFORTS TO COMBAT MS-13 FROM 2016-2020, <https://www.justice.gov/archives/ag/page/file/1329776/download>.

If you have any questions, please contact Tina Seideman on my Senate Judiciary Committee staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley  
Ranking Member  
Committee on the Judiciary