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EASTERN DISTRICT OF CALIFORNIA  
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8  
9 IN THE UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, ) CASE NO. 1:18 CR 00002 LJO SKO  
12 )  
Plaintiff, ) VIOLATIONS: 18 U.S.C. §  
13 v. ) 1959(a)(1) - Murder in Aid of  
14 ISRAEL RIVAS GOMEZ, ) Racketeering (Count 1); 18 U.S.C.  
aka "PIRRA," and ) § 1959(a)(1) - Kidnapping in Aid  
15 ) of Racketeering (Count 2)  
JOHN DOE, )  
16 aka "MARCOS CASTRO," )  
aka "SECO," )  
17 aka "CALAKAS," )  
aka "FLACO," )  
18 Defendants. )  
19 )

20 I N D I C T M E N T

21 The Grand Jury charges:

22 **GENERAL ALLEGATIONS**

23 **A. THE RACKETEERING ENTERPRISE**

24 1. At various times material to this Indictment:

25 a. Defendants (collectively "Defendants"), and others  
26 known and unknown to the grand jury, were members and  
27 associates of an organization known as "Mara Salvatrucha" in  
28

1 Mendota, California, or "MS-13" (referred to hereinafter as  
2 "MS-13")."

3 b. At all relevant times, MS-13 operated in the Eastern  
4 District of California and elsewhere. The MS-13 organization  
5 was engaged in a variety of illegal activities, including but  
6 not limited to murder, kidnapping, extortion, and narcotics  
7 trafficking. MS-13, including its leaders, members and  
8 associates constituted an "enterprise," as defined by Title 18,  
9 United States Code, Section 1959(b)(2) (hereinafter the  
10 "Enterprise"), that is, a group of individuals associated in  
11 fact, that engaged in, and the activities of which affected,  
12 interstate and foreign commerce. The Enterprise constituted an  
13 ongoing organization whose members functioned as a continuing  
14 unit for the common purpose of achieving the objectives of the  
15 Enterprise.

16 **B. OPERATION OF MS-13 IN LOS ANGELES, CALIFORNIA.**

17 2. MS-13 in Mendota, California operates in tandem with MS-13  
18 in Los Angeles, California. Mara Salvatrucha was formed in Los  
19 Angeles, California in the mid-1980s by immigrants fleeing the civil  
20 war in El Salvador. Once in Los Angeles, they organized themselves  
21 into a group called Mara Salvatrucha, which was initially largely  
22 composed of Salvadoran immigrants. "Mara" is a Central American term  
23 for gang. "Salva" refers to El Salvador. In the 1990s in Los  
24 Angeles, Mara Salvatrucha distinguished itself by committing brutal  
25 acts of violence against rival gang members and non-gang members. In  
26 the mid-1990s, Mara Salvatrucha became associated with the Mexican  
27 Mafia, commonly referred to as "la Eme" (which translates in English  
28 to "the M"), and added the number "13" to its name. The number "13"



marks the 13th letter of the alphabet: "M." Thus, Mara Salvatrucha became MS-13. While MS-13 originated in Los Angeles, over the years, MS-13 spread as its members were deported to El Salvador and because its members traveled to other locations in the United States and abroad. As a result, in addition to operating in Los Angeles, MS-13 operates nationally and internationally, with more than ten thousand members regularly conducting gang activities in at least ten states and Washington, D.C., and with thousands more conducting gang activities in Central America and Mexico.

3. MS-13 in Los Angeles, and MS-13 nationally and internationally, is largely comprised of persons from Central America, including El Salvador, Honduras, and Guatemala. Although each MS-13 locale has a common origin, MS-13 in Los Angeles operates differently in El Salvador, Honduras, Guatemala, and the other states within the United States. Notwithstanding, clique names in other parts of the United States are often named for existing cliques in Los Angeles. At times, MS-13 members from other geographic locations travel to Los Angeles to participate in leadership meetings; however, MS-13 in Los Angeles is independent, self-governing, and makes its own decisions. Conversely, MS-13 members in Los Angeles are sometimes called upon to provide input in other parts of the country. Also, MS-13 members in Los Angeles distribute drugs from Los Angeles to other parts of the country.

4. In Los Angeles, MS-13 operates under the "Los Angeles Program," which is distinct from programs in El Salvador, Honduras, Guatemala, and other parts of the United States, whereby its leaders and members make all decisions concerning how and when a new person becomes a member of MS-13, how MS-13 operates, when discipline is

1 meted out, when a clique is responsible for paying its extortionate  
2 rent payments, the geographical boundaries of each clique, and the  
3 identity of the shot callers and leaders.

4 5. MS-13 operates through subsets, mentioned above, known as  
5 "cliques," which are usually named for a street within a clique's  
6 territory, or for the neighborhood in which the clique operates. MS-  
7 13 has approximately 20 cliques operating in Los Angeles, including,  
8 but not limited to, "Parkview," "Vatos Locos Salvatruchos," and  
9 "Francis Locos."

10 6. A clique adds new members through an initiation ritual  
11 known as "jumping in," during which several existing MS-13 members  
12 beat up a prospective MS-13 member for 13 seconds. Once jumped in,  
13 an MS-13 member is expected to participate fully in MS-13's criminal  
14 activities.

15 7. MS-13 members sometimes signify their membership with  
16 tattoos reading "Mara Salvatrucha," "MS," "MS-13," or other  
17 variations of the gang's name. MS-13 members typically refer to  
18 other members by their monikers, or nicknames, and often do not know  
19 fellow gang members' legal names.

20 8. MS-13 has a self-imposed code of conduct, which is imposed  
21 and enforced to maintain compliance among its members. MS-13  
22 enforces its rules and promotes discipline among its members by  
23 imposing monetary fines and threatening and committing acts of  
24 violence against members who break the rules. This is known as being  
25 "courted" or "regulated." MS-13, through its leadership or  
26 individual cliques, can vote for MS-13 members to be disciplined for  
27 violating MS-13's rules or code of conduct. Depending on the  
28 severity of the violation, MS-13, through its leadership or



1 individual cliques, will decide whether the violator will receive a  
2 beating for 13, 26, or 39 seconds, all multiples of 13, and will  
3 select at least three to four MS-13 members to administer the  
4 beatings, with one member counting aloud the seconds. The premise  
5 underlying these punishments is that a person who broke a rule should  
6 be punished by beatings for either 13 seconds, or for a multiple of  
7 13 seconds. Additionally, for even more serious violations of MS-  
8 13's rules, MS-13, through its leadership or individual cliques, may  
9 vote to introduce weapons into the beatings, to include knives, bats  
10 and/or pipes. Once an MS-13 member has been disciplined, the  
11 individual cliques may also vote to eject the disciplined member from  
12 their cliques. If a member is voted out of the clique, he/she must  
13 be "jumped out" of the clique, which means that member will receive  
14 another beating. However, that member may join a different MS-13  
15 clique, if the new clique votes to accept that member. To join a new  
16 clique, that member must be "jumped in," or beaten for a designated  
17 period of time, usually 13 seconds.

18 9. MS-13 has zero tolerance for members and associates who  
19 cooperate with law enforcement. Once MS-13 has evidence that someone  
20 has cooperated with law enforcement, by receiving and reviewing law  
21 enforcement reports or videos of interviews, MS-13 issues a "green  
22 light" as to that person, which is an order that if any MS-13 member  
23 sees the person who is allegedly or actually cooperating with law  
24 enforcement, that person is to be killed on sight.

25 10. MS-13 members also engage in acts of violence against  
26 innocent citizens and rival gang members in their territory.  
27 Participation in violent acts increases the respect accorded to  
28 members who commit violent acts. Additionally, commission of violent

1 acts by MS-13 members enhances the gang's overall reputation for  
2 violence in the community, resulting in the intimidation of citizens  
3 in MS-13's territory.

4 11. MS-13 members write or paint graffiti in the areas in which  
5 they control to identify the area as controlled by MS-13.

6 12. Narcotics sales provide the bulk of MS-13's profits.  
7 Individual MS-13 members who sell narcotics are often required to  
8 provide a portion of their narcotics proceeds to the shot caller of  
9 the clique. This money is used by the shot caller for a variety of  
10 purposes, including paying the clique's rent to the overall MS-13  
11 leader, paying legal fees for MS-13 members in need, helping MS-13  
12 members in need in El Salvador and other points abroad, and  
13 purchasing weapons that are maintained by the clique in their  
14 territory for protection. If a clique member earns money for the  
15 clique by selling drugs or other criminal ventures, and contributes a  
16 portion to the shot caller, this money is oftentimes considered their  
17 rent contribution to the clique.

18 13. MS-13 also derives income from the extortion of street and  
19 food vendors who operate in MS-13 controlled territory. On a clique  
20 level, the clique shot caller identifies targets for extortion and  
21 coordinates which clique member is authorized to collect extortion  
22 from each vendor. MS-13 extorts both legitimate and illegitimate  
23 businesses alike, though MS-13 tends to focus on illegitimate or  
24 "grey-market" businesses. These businesses are often owned or run by  
25 illegal immigrants, who rarely report this extortion to law  
26 enforcement, despite the threats of violence which accompany the  
27 extortion.



1 C. MS-13 IN MENDOTA, CALIFORNIA.

2 14. MS-13 in Mendota, California and its members are engaged in  
3 murder, assaults, extortion, illegal weapons possession, as well as  
4 other criminal activity in furtherance of the gang, including but not  
5 limited to the selling of illegal narcotics. Since 2015, there are  
6 more than fourteen homicides believed to be related to MS-13 in  
7 Mendota.

8 15. The Mara Salvatrucha subsets Vatos Locos Salvatruchos (VLS)  
9 and Park View Locos Salvatruchos (PVLS) in Mendota both fall under  
10 the larger MS-13 transnational criminal organization, and are aligned  
11 with the Los Angeles cliques. VLS and PVLS align and associate with  
12 one another and, in view of that, these two cliques can be observed  
13 together as MS-13 gang members in Mendota. They identify with the  
14 color blue and claim the number 13; the number 13 being a reference  
15 to the thirteenth letter of the alphabet, "M", which is a symbol for  
16 "Mara." The Mendota MS-13 gang members often utilize monikers with  
17 fellow gang members, phrases such as "Mara" or "Mara Salvatrucha,"  
18 the letters VLS, PVLS, and MS, and symbols of devil horns, in their  
19 graffiti and tattoos, as an expression of their gang affiliation.  
20 Among other things, the gangs' members engage in the sale of  
21 narcotics, extortion, possession of firearms, and other crimes,  
22 including murder, to intimidate rival gang members, victims of  
23 extortion, and members of the community, and to protect their "turf"  
24 and fellow gang members.

25 16. In addition to VLS and PVLS MS-13 subsets feuding with  
26 rival gang members, they also use violence against their own members  
27 to enforce the gang's rules. These rules include, among others, a  
28 prohibition against cooperating with law enforcement in the

1 investigation and prosecution of any criminal case, especially those  
2 involving fellow gang members. An example of a recurring use of  
3 violence to enforce MS-13 rules is the imposition of a 13-second  
4 "beat-down" by fellow gang members during a gang meeting as  
5 punishment for an infraction.

6 17. MS-13 members in Mendota, CA have a hierarchy. The lowest  
7 of the members are referred to as "Paros." Paros take orders from  
8 higher ranking gang members and are responsible for doing errands and  
9 committing crimes on behalf of the gang. The next level, above  
10 Paros, is "Chequeos." Chequeos also take orders from higher ranking  
11 gang members. Chequeos are also responsible for fighting with rival  
12 gang members and expanding the gang's territory. Paros and Chequeos  
13 take orders from "Homeboys." Homeboys are the leaders, or shot  
14 callers, of the gang and direct the gang's activity.

5 18. Higher ranking members, known as "homeboys," control the  
16 gang's activities, despite often times not being located in the same  
17 city. Homeboys influence that gang's activity remotely through  
18 communicating with other members through phone calls and social media  
19 communications. They decide if and when a murder occurs and which  
20 gang members can be involved in the crime. Homeboys also make  
21 decisions that impact gang membership, such as whether or not new  
22 members are added, and what members can be promoted.

23 19. In Mendota, the primary rival to MS-13 is the Bulldogs  
24 criminal street gang. The MS-13 cliques in Mendota, CA view the  
25 Bulldogs as a threat to the El Salvadoran community and regularly  
26 participate in patrols to attack Bulldog gang members. MS-13 uses  
27 the violence to expand its control of Mendota and to rid the town of  
28 rival gangs. Mid-ranking MS-13 gang members in Mendota, known as



1 "Chequeos" often respond to requests through social media from non-  
2 gang affected El Salvadorans who are being harassed by rival gangs,  
3 including the Bulldogs. Chequoes will respond to these requests and  
4 intimidate or attack the rival gang member. MS-13 gang members in  
5 Mendota believe that by doing this they earn the trust and respect of  
6 the El Salvadoran community, and deter reporting by the community to  
7 law enforcement of crimes committed by MS-13 gang members.

8 20. Some members of the VLS and PVLS have admitted their gang  
9 membership to local detectives, and a number of the VLS and PVLS  
10 members have tattoos that reflect gang affiliation. These tattoos  
11 include words and symbols that refer to the Mara Salvatrucha gang  
12 name, such as "MS," "Vatos Locos," or "Park View," or a reference to  
13 being a member of MS-13, such as "MS-13," three dots, skulls,  
14 sad/happy faces, 503, 504 or the triangle symbol as seen on the El  
15 Salvador flag.

16 21. MS-13 members in Mendota must follow clearly established  
17 rules of the gang or face discipline.

18 22. MS-13 gang members in Mendota often receive instructions  
19 from higher ranking gang members in Los Angeles, Santa Maria, and  
20 Oakland. Many times, these instructions involve traveling to Los  
21 Angeles or Oakland to support the gang's agenda, including conducting  
22 assaults, helping wanted subjects travel to escape law enforcement,  
23 and transporting drugs and firearms on behalf of the gang.

#### 24 THE PURPOSES OF THE ENTERPRISE

25 23. The purposes of the Enterprise included, but were not  
26 limited to, the following:

27 a. Enriching the members and associates of the  
28 Enterprise through, among other things, gun sales, narcotics

1 sales, and extortion, as well as the remittance of proceeds  
2 generated as a result of MS-13's criminal activities (referred  
3 to as "taxes"), and conducting other profit-driven illegal  
4 activities in Fresno County and elsewhere;

5 b. Preserving, promoting, and protecting the power,  
6 territory, and profits of MS-13 and its members and associates,  
7 through threats of violence and actual acts of violence,  
8 including extortion, assault, attempted murder, and murder;

9 c. Maintaining MS-13's control and authority over its  
10 territory, and over illegal activities occurring in MS-13  
11 "territory" within Fresno County, California, including keeping  
12 the public-at-large in fear of the Enterprise, and in fear of  
13 its members and associates through violence and threats of  
14 violence;

15 d. Protecting MS-13 members and associates who committed  
16 crimes by hindering, obstructing, and preventing law  
17 enforcement officers from identifying, apprehending, and  
18 successfully prosecuting and punishing the offenders; and

19 e. Violently retaliating against rival gang members or  
20 perceived outsiders who challenge MS-13's authority, disrespect  
21 MS-13 members and associates, or who fail to pay debts owed to  
22 MS-13 members and associates.

#### 23 MEANS AND METHODS OF THE ENTERPRISE

24 24. Among the means and methods employed by the members and  
25 associates who conducted and participated in the conduct of the  
26 affairs of the enterprise were the following:

27 a. Members of the enterprise and their associates  
28 committed, attempted and threatened to commit acts of violence,



1 including murder, kidnapping, and extortion, to protect and  
2 expand the enterprise's criminal operations.

3 b. Members of the enterprise and their associates  
4 promoted a climate of fear through violence and threats of  
5 violence.

6 c. Members of the enterprise and their associates used  
7 and threatened to use physical violence against rival gang  
8 members, neighborhood residents and visitors, and to violently  
9 discipline insubordinate members of the enterprise;

10 d. Members of the enterprise and their associates  
11 engaged in extortion of local businesses.

12 e. Members of the enterprise and their associates  
13 trafficked in various controlled substances, including  
14 marijuana, methamphetamine, and prescription drugs.

15 f. Members and associates of the enterprise frequently  
16 engaged in the aforementioned criminal activity in the presence  
17 of other MS-13 gang members and/or associates to enhance the  
18 status within MS-13 of those affirmatively conducting criminal  
19 acts; and

20 g. Members and associates of the enterprise used various  
21 techniques to avoid law enforcement scrutiny of the  
22 enterprise's criminal activities and to evade and frustrate law  
23 enforcement, such as the use of coded language to discuss  
24 criminal activities, the use of internet-based methods of  
25 communication, movement of MS-13 members and associates from  
26 Mendota to other areas and from other areas to Mendota when  
27 wanted by law enforcement, and other counter-surveillance  
28 techniques.

1        25.        The above-described enterprise, through its members and  
2 associates, engaged in racketeering activity as defined in Title 18,  
3 United States Code, Sections 1959(b)(1) and 1961(1), namely, acts  
4 involving murder, extortion and kidnapping in violation of California  
5 law, and offenses involving trafficking in controlled substances in  
6 violation of Title 21, United States Code, Sections 846, 841(a)(1)  
7 (distribution and possession with intent to distribute a controlled  
8 substance).  
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1 COUNT ONE: [18 U.S.C. § 1959(a)(1) -- Murder in Aid of  
2 Racketeering]

3 26. Paragraphs 1 through 25 of the General Allegations are re-  
4 alleged and incorporated by reference as though fully set forth  
5 herein.

6 27. On or about December 18, 2017, in Fresno County, within the  
7 Eastern District of California, for the purpose of gaining entrance  
8 to and maintaining and increasing position in MS-13, an enterprise  
9 engaged in racketeering activity, the defendants, ISRAEL RIVAS GOMEZ,  
10 aka "PIRRA," and JOHN DOE, aka "MARCOS CASTRO," aka "SECO," aka  
11 "CALAKAS," aka "FLACO," together with others known and unknown,  
12 unlawfully and knowingly, murdered A.R., in violation of California  
13 Penal Code Sections 31, 187, and 189;

14 All in violation of Title 18, United States Code, Sections  
15 1959(a)(1) and 2.

1 COUNT TWO: [18 U.S.C. § 1959(a)(1) -- Kidnapping in Aid of  
2 Racketeering]

3 28. Paragraphs 1 through 25 of the General Allegations are re-  
4 alleged and incorporated by reference as though fully set forth  
5 herein.

6 29. On or about December 18, 2017, in Fresno County, within the  
7 Eastern District of California, for the purpose of gaining entrance  
8 to and maintaining and increasing position in MS-13, an enterprise  
9 engaged in racketeering activity, the defendants, ISRAEL RIVAS GOMEZ,  
10 aka "PIRRA," and JOHN DOE, aka "MARCOS CASTRO," aka "SECO," aka  
11 "CALAKAS," aka "FLACO," together with others known and unknown,  
12 unlawfully and knowingly kidnapped A.R., in violation of California  
13 Penal Code Sections 207 and 31;

14 All in violation of Title 18, United States Code, Sections  
15 1959(a)(1) and 2.



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Defendant ISRAEL RIVAS GOMEZ, aka "PIRRA":

2. Intentionally killed A.R. (18 U.S.C. § 3591(a)(2)(A));

4. Intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than a participant in the offense, and A.R. died as a direct result of the act (18 U.S.C. § 3591(a)(2)(C));

6. Committed kidnapping of A.R. in violation of 18 U.S.C. § 1201, and A.R.'s death, or injury resulting in death, occurred during the commission or attempted commission of, or during the immediate flight from the commission of the kidnapping.

8. Committed the offense after substantial planning and

1 premeditation to cause the death of A.R. (18 U.S.C. § 3592(c)(9));  
2 and  
3 Defendant JOHN DOE, aka "MARCOS CASTRO," aka "SECO," aka "CALAKAS,"  
4 aka "FLACO:"


5 1. Was 18 years of age or older at the time of the offense (18  
6 U.S.C. §3591(a));

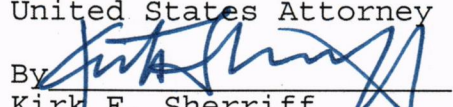
7 2. Intentionally participated in an act, contemplating that  
8 the life of a person would be taken or intending that lethal force  
9 would be used in connection with a person, other than a participant  
10 in the offense, and A.R. died as a direct result of the act (18  
11 U.S.C. § 3591(a)(2)(C)); and

12 3. Intentionally and specifically engaged in an act of  
13 violence, knowing that the act created a grave risk of death to a  
14 person, other than a participant in the offense, such that  
15 participation in the act constituted a reckless disregard for human  
16 life and A.R. died as a direct result of the act (18 U.S.C. §  
17 3591(a)(2)(D)).

18 4. Committed kidnapping of A.R. in violation of 18 U.S.C. §  
19 1201, and A.R.'s death, or injury resulting in death, occurred during  
20 the commission or attempted commission of, or during the immediate  
21 flight from the commission of the kidnapping.

22  
23 A TRUE BILL,

24   
25 FOREPERSON

26 MCGREGOR W. SCOTT  
27 United States Attorney  
28 By   
Kirk E. Sherriff  
Assistant U.S. Attorney  
Chief, Fresno Office