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June 8, 2009

His Excellency Mauricio Funes  
President of the Republic of El Salvador  
Presidential Palace  
San Salvador, El Salvador

Dear President Funes,

Please let me express once again my congratulations on your election to the Presidency of El Salvador and your recent inauguration. I would also like to express my support for the commitments you expressed during your inaugural address to democracy, human rights, and equitable development. As you may be aware, I have been deeply interested and engaged in El Salvador since my first visit there in the 1980s. The Salvadoran people, whose humility and hard working spirit have carried them through much adversity, want and deserve a government that will seek to guarantee that all Salvadorans, rich and poor alike, are treated fairly. I am hopeful that now, with my new president, Barack Obama, and your new government, long years of neglect can be put behind us and we can begin a new partnership to address many issues of common interest and concern.

In your inaugural address, you spoke of the need to combat corruption, including police corruption, in all its forms. I believe your Administration has an enormous opportunity to move forward in establishing the rule of law and ending the impunity that has ruled for too long in El Salvador. Many of my colleagues in the U.S. Congress and I are prepared to support your efforts to strengthen democracy and increase security for all Salvadorans by modernizing and professionalizing the police, respecting human rights and due process, and improving the capacity and integrity of the prosecutors' offices and the judiciary.

Your government, including Manuel Melgar, the new Minister of Justice and Public Security, faces major challenges in dealing with the problems of crime and insecurity, while strengthening the rule of law. In the last days of the previous Administration, attorney José Rolando Monroy Sintigo, who worked for the last five years for the Attorney General as head of the Money Laundering and Drug Trafficking Unit, brought to the attention of the press serious charges that investigations focused on money laundering were stopped by high officials in the previous government. I hope that your government will demonstrate your commitment to integrity and a new approach by seriously investigating these allegations.

I believe you could also demonstrate your government's commitment to a new approach by directing the Justice Ministry to select some exemplary cases to investigate. These could be cases whose resolution would demonstrate your government's commitment to fighting crime, ending impunity and strengthening the rule of law. Because of my own history and concern for the effective functioning of the justice system in El Salvador, many cases have been brought to my attention over the years that beg for further investigation. Let me suggest several inter-related cases, where a full and thorough investigation by the police and the public prosecutor could weaken a powerful criminal group, and send an important message about your commitment to the rule of law. These are the Katya Miranda case, the Gilberto Soto case, and the Perrones drug trafficking case. Progress, if not resolution, on these cases would contribute greatly to consolidating the rule of law.

#### **Katya Miranda:**

The April 1999 rape and murder of nine-year-old Katya Miranda was a public scandal and never fully resolved. Claiming new evidence has been found, many Salvadoran women's organizations and human rights and children's advocates have called for the case to be re-opened and a more thorough investigation carried out. Her uncle, Godofredo Miranda, who was at the time a police official in charge of investigations of drug trafficking, is alleged to have engaged in actions to cover up facts and evidence in the case. The failure to fully investigate this case damaged the reputation of both the National Civilian Police and the Attorney General, and has left the impression that the well-connected could use their influence to avoid justice.

#### **Drug Trafficking and the Perrones Gang:**

When police authorities investigated a drug trafficking network in San Miguel called the Perrones Gang, there were charges that this same police official, Mr. Godofredo Miranda, lost and/or suppressed evidence that had been provided by Costa Rican authorities. Fortunately, despite this alleged suppression of evidence, the top leadership of the Perrones Gang have been convicted of crimes and are all currently in jail. However, Godofredo Miranda's only punishment to date was to be demoted and reassigned to Chalatenango. Again, the public is left with the impression that police officials are open to corruption, and unlikely to be punished for that corruption.

#### **Killing of U.S. Teamster Union Labor Organizer, Gilberto Soto:**

It is my understanding that new evidence has emerged showing that lower-level members of the Perrones Gang may have been involved in the November 2004 murder in Usulután of U.S. Teamster labor organizer, Gilberto Soto. This case has not duly advanced through the Salvadoran judicial system, and while Salvadoran authorities made arrests in the case, they have done little to fully investigate.

What is needed, Mr. President, is to bring your leadership to bear so that these cases receive a more thorough review and move forward through the appropriate judicial channels. I respectfully request that your government seriously consider:

1. A more vigorous investigation of the murder of Katya Miranda that includes an investigation of Mr. Godofredo Miranda's alleged cover-up of this heinous crime;
2. A re-examination of the alleged suppression by Mr. Godofredo Miranda of evidence against the Perrones Gang brought by the Costa Rican government in an effort to curtail drug trafficking through Central America;
3. Directing the Justice Ministry to open and pursue an investigation into the probable culpability of lower-level members of the Perrones Gang in the November 2004 murder of Gilberto Soto, an American Teamster labor organizer in Usulután; and
4. Expanding the investigation of top-level Perrones Gang members who are currently in jail for drug trafficking and who are allegedly still involved in moving drugs across borders and money laundering.

Mr. President, the futures of our countries are intertwined, and I firmly believe we must continue our common efforts to strengthen the rule of law and the administration of justice and curtail drug trafficking, money laundering and other related crimes. This partnership is essential to the safety and prosperity of both our nations, and surely development and investment have the greatest chance of flourishing where the rule of law is established as a core value of Salvadoran society. It is in this spirit that I respectfully urge you to make the pursuit of justice one of the cornerstones of your Administration.

Mr. President, please know that I look forward to working with you and your Administration on these and other important matters of mutual interest and concern.

Sincerely,



James P. McGovern  
Member of Congress  
U.S. House of Representatives

JPM:cmb