



Written by [R. Cort Kirkwood](#) on December 6, 2018

Obama Judge Freed MS-13 Member Who Police Say Then Committed Murder

Another immigration judge loosed another illegal-alien criminal with the predictable result.

Not six weeks after he was released instead of deported, police allege, Henri Salvador Gutierrez and five other members of his gang stabbed another likely gang member to death.

The gang? MS-13. The person who let him go? Immigration Judge Mario J. Sturla, [appointed by](#) President Barack Hussein Obama's attorney general, Loretta Lynch.

The upshot of the story is this: Boston police told the judge that Gutierrez was a member of MS-13. The judge didn't believe them.

No Such Thing as a Bad Boy?

The story is a classic of American justice — and an all-too-familiar one that followed the usual arc: Immigration gumshoes catch illegal alien gangbanger. Leftist judge doesn't believe the cops, feels bad for the put-upon "undocumented immigrant," and releases him. Someone winds up dead.

Gutierrez was in immigration detention for seven months, the [Boston Globe reported](#), when Sturla let him go, free as a bird to do what he wished.

The Boston Regional Intelligence Center, the *Globe* reported, had fingered him "as a member of MS-13 based on several factors including his tattoo of the number "503" — the international telephone code of El Salvador — and his proclivity for wearing blue and white, colors favored by the gang."

That's what an agent for the Homeland Security Department wrote in the report used in the deportation case.

But Sturla didn't believe it, partly thanks to a retired Boston policeman, who told the *Globe* that "police failed to show he had committed crimes in connection with the gang, one of the requirements outlined in the federal guidelines for intelligence-gathering units."

After the murder, the gumshoe stood by his testimony. Gang tattoos and hanging with other gang members are "reasonable suspicion of criminal activity."

[And then we get the sob story](#): "In his June 22 decision, Sturla also cited Gutierrez's cognitive disabilities, his testimony that he was abused in El Salvador, which he left to flee gang violence, and his stated desire to improve his life as factors in the decision."

And the gang tattoo? [The Boston Herald's Howie Carr recorded](#) the judge's words: "The respondent is not a member of MS-13 and is not a member of any gang. He would not join a gang but got the tattoo out of love for his country of origin."





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And the gang colors were merely signs of the hapless lad's favorite team.

"Lastly, the court finds that the respondent has made attempts to rehabilitate himself after multiple arrests for carrying knives and machetes," [Sturla wrote](#). "The respondent testified that he wants live a peaceful life."

Stabbed Him Like a Cow

He didn't live a peaceful life for long.

"Less than six weeks later, on July 30," [The Globe reported](#), "he and five other men allegedly stabbed 17-year-old Herson Rivas to death."

While Rivas begged for his life, Gutierrez bragged, "one of his alleged accomplices, Eliseo Vaquerano Canas, a.k.a. 'Peligroso,' [Spanish for "dangerous"] repeatedly stabbed the boy 'as if he were a cow.'"

Gutierrez's "boast was captured during a secretly recorded jailhouse conversation with a cooperating witness, according to federal filings in U.S. District Court, while Gutierrez was in custody on an unrelated firearms charge," [The Globe reported](#):

"And Peligroso, dude, he was dicing him as if he were a cow, that [expletive]!" ...

"The knife Peligroso had, dude, looked like a saw now, dude. It broke, the son of a [expletive], on the cutting edge. It was warped. Because he was hitting him right on the skull, Clang! Clang! Clang! Clang!"

And that's not all, the [Associated Press reported](#): "Straight into his ribs, dude," Gutierrez bragged. "And when I pulled out the knife, it was warped. Not just on the tip, but it came out kind of twisted."

Gutierrez's nickname is "Perverso" ("perverse").

Four Illegals, Four MS-13 Members

[Federal prosecutors have filed](#) a RICO case against Gutierrez and his fellow defendants, and in something of a darkly comic turn, the [American Civil Liberties Union had filed](#) a lawsuit that claims the Boston gang unit profiles innocent Central Americans to deport them.

Gutierrez was a key character in the *Globe's* story about the lawsuit, but the newspaper withheld his name at his lawyer's request. "He has since been reunited with his infant son and is trying to finish high school," the lawyer told the newspaper.

That claim appeared just about two weeks before the story about the murder surfaced.



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