of fifth graders to the point of abject fear and denial of any true gang intentions. The two then stripped off their outer clothing to reveal their identity as police officers, called out for the charade by the concerned school principal.

Last in my list is the case of Father Gregory Boyle in East Los Angeles, known by his gang moniker of “G-Dog” to the gang members of his parish. Greg Boyle is the most emotionally dedicated gang intervenor I’ve come across in many years. He is streetwise, empathic, energetic, and unflappable in the face of abject failure. He mothers and fathers his gang members. He is the ultimate street worker, a one-man agency with his own schooling and jobs program for “his” gangs. His one-to-one relationship with individual members is genuine, warm, and supportive. Greg Boyle epitomizes the very best in individual, caring gang intervention.

He also epitomizes the kind of ill-conceptualized reinforcement of gang life and cohesiveness that I have found to exist in almost every traditional gang city. Has his special jobs program at the parish really prepared his boys for adult employment outside the barrio? Have the hours of counseling really challenged and changed gang values? Is a long day and a heavy caseload the measure of success? It’s surely better to reach gang members than not, but to what effect? As G-Dog says in his many inspirational talks in the community, he has buried twenty-six of his boys. But I have trouble seeing the translation of his heavy and loving involvement into the reduction of gang violence. There are so many ways to feed gang cohesiveness and so few to reduce it.

Gang Suppression

It is my philosophy that we attack gangs on two levels. We cut the leadership head off and remove them from the community while we beleaguer and attack the body and legs of the creature.

Director of one of the nation’s largest police gang units, quoted in C.Q. Researcher, October 11, 1991, p. 760

In the mid-1980s, a senior official of the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) announced that the Los Angeles model of gang control had been selected as the prototype for gang programs nationally. Given what I knew of this “LA model” and the shape of the increasingly terrible gang homicide pattern in Los Angeles, I sought to dissuade the OJJDP from its plan.

My counterargument was three pronged. First, was it going to fund a set of programs nationwide based on a “model” associated with the largest and most rapid increase in street gang violence ever experienced? Second, had it read and considered the implications of research that seriously called into question the gang-crack sales connection that was used locally to justify the model? Third, had it seen any results in Los Angeles in terms of planning, program development, or actual coordination? Or alternatively, had the OJJDP (1) bought the LAPD’s claims about suppression effects without seeking evidence, (2) ignored the presence of research about the gang-crack connection, and (3) overlooked the increasing levels of gang violence?

The result of our discussion was that the OJJDP’s plan for gangs was put on hold as it was determined that the “LA model” was not a model at all but a collection of relatively uncoordinated suppression activities by different agencies, with unknown results. I have never
Police Programs

The clearest embodiment of the gang suppression approach is in the programs developed recently by many—but by no means all—police departments. The spirit is captured by a police captain explaining his suburban department’s approach:

We do sweeps. We spend a day looking through their rooms, their houses. Those that we find in violation go to jail. Those that don’t...are left with the thought that we’re coming back. We’ll announce when—when we knock at the door. Our attitude is that they’re special, and we’re going to treat them special—by putting them in the system and arresting them when we can.

I asked each of the 261 police gang experts in my original survey whether their gang officers or units engaged in such functions as intelligence, investigation, suppression, or prevention (including community relations). Overwhelmingly, intelligence gathering was the most common function, with 215 responses. This was followed by crime investigation (98) and suppression (85). A mere 18 mentioned involvement in interagency or community task forces, and 21 mentioned prevention activities. In sum, with respect to the gang problem, police are generally involved in standard enforcement activity. The one unusual element in the picture is the introduction of deliberate gang suppression activities in one-third of the departments.

Asked to describe these activities, the respondents offered a dozen or so categories, of which special gang “sweeps” was the most common. This refers to a multiofficer dragnet through a neighborhood to detain as many gang members as can be legally tolerated. An example, Operation Hammer, will be described later. Next in order came various forms of directed patrol or selective enforcement or harassment, sometimes described also as “hot spot targeting.” In these procedures, known gang hangouts are given intensive surveillance. “Intensified patrol,” said one respondent, “including bad busts, but it passes the message.” Another described the department’s approach as applying “excruciating pressure.”

Other terms were given: saturation, special surveillance, zero tolerance, crime suppression units, tactical units, caravanning (several patrol cars cruising neighborhoods in tandem), and, in one instance, even a ninja-style unit, complete with black clothing. The message was the same—crackdowns in any form with which the department felt comfortable. These are not so much new programs as they are extensions, often military style, of already available tactics. Harassment, control, winning the “war against gangs” are both means and goals, with tactics seldom seriously related to any sophisticated understanding of the target groups. Success is not in the effect but in
the doing. “We knocked the shit out of them,” one unit commander
told me.

Significantly, however, a number of my police respondents
echewed the suppression operations in some cases because they
were not required and in others because they were distasteful. Street
sweeps, in particular, were often specified as inappropriate. Because
these were often tied to publicity about the LAPD’s Operation
Hammer, we’ll take a closer look at this epitome of police suppression.

Operation Hammer was the LAPD’s concerted effort at massive
antigang street sweeps. In the spirit of former Police Chief Daryl
Gates’s militaristic approach, it quickly developed the characteristics
of war games: war from the LAPD’s perspective and games from the
gang members’ perspective.

Operation Hammer was a massive, antigang police sweep
launched initially in the south central section of Los Angeles. A force
of one thousand police officers was added to the area’s normal com-
plement on an April weekend in 1988. On a Friday night and again
on Saturday, the force swept through the area, picking up everyone
available on already-existing warrants, issued new traffic citations,
arrested others for gang-related behaviors (flashing signs, wearing
“colors,” and so on), and arrested more for observed criminal activi-
ties (including curfew violations).

A total of 1,453 arrests resulted, requiring a special “mobile book-
ing” operation set up next to the Memorial Coliseum. Arrestees were
brought to the Coliseum, booked, and released for later adjudication.
Of the 1,453 people arrested, 1,350 were released without charges. 6
Almost half were not gang members, and there were only 60 felony
arrests, with charges filed in only 32 instances. 7

This remarkably inefficient process was repeated many times,
although with smaller forces—more typically one hundred or two
hundred officers. Joan Moore cited a sequence of four weekend
Hammer that yielded 563 arrests (mostly on warrants,” which can
be served without an area sweep), three ounces of cocaine, two
pounds of marijuana, and $9,000 in drug-related cash. 8 This amounts
to an enormous waste of enforcement effort if these outcomes are
used as the measure of effectiveness. Indeed, Morales reported that
in one Operation Hammer episode involving two hundred officers,
although the low yield of drugs and weapons was reported, there
were in the same time period two gang-related homicides and three
additional wounded victims. 9

In San Diego, the police chief reported on a massive sweep by his
new Special Enforcement Division: The first week produced 146
arrests, but mostly for minor offenses. At the end of the week, only
seventeen persons were still in custody.

A veteran LAPD officer, a member of the first Hammer sweeps,
described these to me as “all show—public relations.” He noted that

the sweeps were announced ahead of time to the media. Since
Hammer took place on successive nights, the media coverage all but
guaranteed that most gang members would remain off the streets,
especially those most wanted by the police. Asked what effect the
sweeps had on gang members, he responded that it probably gave
them “good laughing material.” 10

The intent, of course, was quite the opposite. The Hammer was
supposed to send a message, a deterrence message to present and
potential gang members. The police, the message said, are in control
here, not the gangs. But was this the message received? Let us ask
two questions. First, how are gang members likely to respond to being
captured in the sweep? Second, to what extent does the sweep
exemplify the known principles of effective deterrence?

In regard to the first question, imagine the situation of the typical
gang member picked up in a sweep. He is contacted on the street or
in his car, detained for a minor (probably traffic or curfew) violation,
and whisked away to the booking trailer at the Coliseum. There he
sees some of his homeboys, some rival gang members, and other
arrested persons all being run through the booking operation as
rapidly as possible so the officers can get back to the street operation.
The scene is a bit chaotic, with little of the “majesty” of the law, and
leads in a short time to our gang member’s release.

Now he returns to his neighborhood and encounters or seeks out
some of his homies. Does he say to them, “Oh, gracious, I’ve been
arrested and subjected to deterrence; I’m going to give up my gang
affiliation.” Or does he say, “Shit, man, they’re just jivin’ us—can’t
hold us on any charges, and gotta let us go.” Without hesitation, the
gangbanger will turn the experience to his and the gang’s advantage.
Far from being deterred from membership or crime, his ties to the
group will be strengthened when the members group together to
make light of the whole affair and heap ridicule on the police. It does,
indeed, become “good laughing material.” 11

What went wrong? Let us consider the few, most basic tenets of
deterrence theory. For a punishment (arrest, processing, conviction,
etc.) to be effective:

1. It should follow the omission of the illegal act as swiftly as
possible. In Operation Hammer, booking was swift, but prox-
imity to the act was not, in the case of outstanding warrants.
2. It should be a certain response; that is, punishment should
result for as many illegal acts as possible. A Hammer arrest and
booking responds to only one of scores of acts committed by
the gang member and to only a few of the many members. The
certainty principle is clearly not met here.
3. It should be severe in nature. A quick booking and release,
usually followed by the failure to file charges, is quite the
opposite; the sanction is mild.
4. Swiftness, certainty, and severity must be perceived as such by the sanctioned person. If the deterrent message is to be passed on to others, the sanction must be perceived as swift, certain, and severe by them as well. How the sanctioner (e.g., the LAPD) sees the message is not important. As I pointed out, I suspect that most gang members soon turned around any perceptions of deterrence. Group process won’t allow an inefficient process like Hammer to threaten the gang but will pervert it to strengthen the gang, to accent the games part of the war games.

5. It should provide behaviors that are alternatives to the sanctioned behavior. Operation Hammer, as with all suppression programs, totally ignores facilitating desired behaviors. It seeks only to suppress the undesired.

If this analysis is valid, then Operation Hammer cannot succeed with gang members. Gang processes will disturb the intended message and even reverse the intended effect. Gang cohesiveness is easily fed by opposing forces, and justice officials are such opposing forces. But Hammer is merely an example of other suppression operations. It clarifies for us how they may build in their own failures because they do not represent carefully conceptualized interventions. They merely do more of what the suppressors already know how to do. Remember that one of the principal findings from the Chicago Youth Development Project was that when faced with the failure of their gang members to respond positively, the gang workers reacted by redoubling their efforts, causing even more failure to respond.

In the face of this lack of success, our first, knee-jerk response is to do yet more of what we have been doing. We assume that the fault lies with the level of effort, not its substance. Operation Hammer was the culmination of many years of frustration in the LAPD with the rise in gang membership and violence, despite every effort, such as the work of the CRASH units. It was merely a variation on doing more of the same.

The LAPD’s CRASH units are a collection of localized units of uniformed patrol officers in standard patrol cars, the “black and whites” of TV fame. CRASH officers are the LAPD’s gang units, cruising the gang areas with the specific intent of providing heavy surveillance and harassment, along with gathering intelligence. David Freed explained the difference between CRASH and the LASD’s counterpart OSS (Operation Safe Streets) in terms of suppression versus intelligence functions. He described a CRASH officer’s nighttime surveillance: “The faces of the gang members are frozen in Fletcher’s spotlight, their eyes defiant. ‘Damn, I’d like to jam those guys,’ Fletcher says. He calls for back up, but other cars are occupied. ‘Damn,’ Fletcher sighs, ‘I wish we could jam them.’”

CRASH officers “jam” or harass and move on. “We’ve found that being friendly with these guys just doesn’t work,” reports another CRASH officer, and the LAPD’s war mentality is reinforced. In addition, CRASH officers typically rotate out after two or three years, never having the opportunity to become truly knowledgeable about their communities. This, too, is typical of the LAPD, as was demonstrated in the Christopher and Webster reports after the Rodney King beating and riot.

By contrast, the Sheriff Department’s OSS officers are in plain clothes and plain (nonpatrol) cars as often as not and often remain assigned to a community for many years. They come to know their targeted gangs and members far better, and consequently they are in a better position to defuse hot situations, to anticipate violent and other criminal events, and to locate perpetrators and witnesses. Theirs is street-level intelligence, carefully nurtured.

Not that OSS officers can’t be suppressive—they can, indeed, and often are. But the balance is different, the tactics more attuned to the nature of gangs, and the results may be considerably better: “Gang crime statistics provided by both the police and Sheriff’s departments show that OSS—battling twice as many gang members with only a third as many officers—has done a more effective job in fighting gang violence than its more widely known counterpart, CRASH.”

Regardless of Freed’s conclusions, the point is that special gang units can vary widely in the degree to which they adopt a suppression philosophy. It is the more suppressive versions that concern me, because I fear that they serve only to increase gang cohesiveness. During the pósriot period in 1992, Crip and Blood factions continued a truce process that, according to LAPD statistics, seemed to be correlated with a reduction in gang violence (including homicides) in the central riot area. Nonetheless, the LAPD deployed a large “crime suppression task force” to the various truce meetings and the area in general. Having lost control in the riots, the LAPD seemed thereafter to be making up for lost time, regardless of attempts at community peace.

And of course, we can look beyond Los Angeles. Chicago police are notorious for some of their alleged activities. In 1981, a crackdown featured arrests for wearing gang sweaters and exhibiting other ganglike behaviors. The charge was “disorderly conduct” and led mostly to early releases and dropped charges. Chicago purportedly invented the process of apprehending a gang member, transporting him out of the area, and dropping him defenseless in a rival gang’s territory. And Chicago had the officer nicknamed “Gloves,” after his tactic of taking disruptive school students to the basement where he donned his protective gloves before beating them. Now there was suppression.

Chicago gang officers do for the Midwest what LAPD and LASD officers do for many cities, provide the suppression slide show. Milwaukee, for instance, was treated to “scary slide shows of murders and a display of gang weapons that would make the U.S. Army run
for cover,” with the message that without hard-line suppression, Milwaukee would soon resemble Chicago as a gang world. Oklahoma City got the same message from its police department.¹⁵

Boston police were accused by the state’s attorney general of a substantial number of unconstitutional suppression actions: illegal stops, searches, and even strip searches, particularly of suspected gang members.¹⁶ Columbus, Ohio, police were accused in 1991 of making unlawful stops and searches of anyone they wanted in the streets.¹⁷ In Baltimore, investigative techniques are described as including interviews of “randomly arrested gang members” and having fringe members “placed in real or imagined jeopardy in order to bring them into highly stylized interview situations, designed to change the member’s allegiance from the gang to the investigative team.”¹⁸

A midwestern city invented a new technique. Police received permission from a local judge to give an arrested gang leader a choice, going to court and jail or going before a school assembly of more than 1,500 students to apologize for his violent act on campus, denounce his gang, and publicly shame himself. He chose the subtler shaming option.

In a western city beset by both Hispanic and Asian gangs, the police chief described to me his department’s approach. The process involves an interagency enforcement team that targets the most serious 10 percent of gang members. The team uses vertical prosecution, civil abatement statutes, and “proactive” policing: “We’ll follow the gang guy in our cars, let him offend, then bust him.” When I raised the questions of legality and effect, the chief said, “Now don’t go getting technical on me; I’m a wolf in sheep’s clothing” to the legality query, and “I don’t know what the effect is” to the second, “but I feel like some are slowing down and others are leaving town” (i.e., gang migration due to a local crackdown).

One other tactic should be mentioned because it is a combination of suppression and community responsiveness. Normally applied in the case of gang (or nongang) drug distribution, the “cul-de-sac” operation has received mixed reviews from local residents. A street, alley, or portion of a neighborhood where a drug market is flourishing is blocked by physical barriers and police vehicles over an extended period of time. Residents may enter or leave (upon identification), but nonresident gang members, dealers, and cruising buyers are excluded from the cul-de-sac. Obviously, drug sales in the area drop precipitously, and many residents breathe a sigh of relief. But other residents resent what they see as a “siege mentality,” and the dealers may simply set up shop elsewhere, in what criminologists call displacement. To my knowledge, there has been no independent assessment of cul-de-sac results, including displacement. Obviously, while the barricades are up, short-term efforts in the area are easily measured with crime statistics and do show the expected decrease in drug-related crime.

We can also look at the manner in which federal enforcement agencies have adopted suppression perspectives. I include here the FBI, the Drug Enforcement Agency (DEA), and the Bureau of Alcohol, Tobacco, and Firearms (ATF) in particular. One can also throw in some other elements of the U.S. Department of Justice.

The problem here is simple: (1) These agencies know and understand organized crime; (2) they do not know street gangs; and (3) they often assume the two are similar, when in fact they are not. The DEA in particular gets confused because drug distribution organizations such as the Colombian cartels and Jamaican posses share an interest in drugs with some street gangs. Calling each kind of group a gang leads to the application of cartel thinking to street gangs.

Item: The DEA describes the spread of crack cocaine from its U.S. origin in Los Angeles to cities north and east. Because in selected cases (Seattle, Portland, Shreveport, and others) Los Angeles street gang members (not gangs or gang units) are arrested for selling crack in these destinations, LA’s Crips and Bloods are said to be franchising and controlling crack distribution. The latter, of course, does not follow from the former, but the DEA’s habituated conspiracy orientation leads it to assume the equation. It then provides a rationale for the DEA to join the suppression effort.

Item: Attorney General William Barr (George Bush’s last attorney general) assigned more than one hundred FBI agents to street gang control, following the agents’ release from cold war duty when the Soviet Union collapsed. These agents knew nothing about street gangs because they had had no experience with them. But they knew about conspiracies and federal interstate statutes such as RICO and other antitrusteering laws, and it was assumed that they could easily be transferred to the street gang arena. In Los Angeles the FBI agents were welcomed with open arms by the LAPD and also by the much-troubled Inglewood Police Department. They were scoffed at by the Los Angeles Sheriff’s Department, the county’s central repository of gang intelligence. It’s a long way from Al Capone and John Gotti to the Crips and Bloods and barrios of East Los Angeles.

Item: The Bureau of Alcohol, Tobacco, and Firearms, whose intelligence reputation was hardly enhanced by the disastrous storming of the cult headquarters in Waco, Texas, and the death of four of its agents, entered the game by publishing gang manuals for law enforcement use. Based on secondhand information in most cases, the manuals describe specific gang structures, locations, styles, and symbols in cities throughout the nation. For a sense of the manuals’ validity, I looked at the description of the traditional street gang prominent around my own university’s area. The manual confuses north–south
streets with east-west streets, undermining confidence in its other information. It reifies clique names and generic terms (e.g., homeboys) into structural entities. It places the gang as well in Utah, Idaho, Oklahoma, and Florida and then says “the boundaries…has [sic] now extended far beyond the Los Angeles area to Juarez, Mexico, and El Paso, Texas.”

Item: Finally, I offer the example of a report to the U.S. attorney general from Lourdes Baird, U.S. attorney for the Central District of California. This report claims that Los Angeles’ urban street gangs’ activity is concentrated in drug trafficking (especially crack) and weapons-related crime. We know from previous chapters that this is wrong on both counts, but it does provide the usual rationale for suppressing gangs. The report also states that the Crips and Bloods “represent a genuine organized crime problem.” The Justice Department (the FBI in particular) and the LAPD seem to have become quite “sympathetic.” The Los Angeles Sheriff’s Department, however, has come more and more to view the drug/drug/conspiracy nexus with increasing skepticism. Its written response to Ms. Baird’s report goes to some lengths to discount the organized crime image perpetuated by the federal agencies. It bears repeating that the sheriff’s operation, though far from faultless, has, of all these agencies, consistently maintained the best intelligence on street gangs at the street level. The LAPD could have developed similar gang-level intelligence but for several organizational reasons has never chosen to do so. Being the larger and better-known agency, the LAPD’s views are more commonly disseminated and accepted. The Feds clearly have chosen the LAPD’s approach.

**Schools and Suppression**

Later in this chapter we’ll see the growth of suppression programs in prosecution, in corrections, and in the framing of new legislation, but another example is provided by school systems across the country. It should be understood that the proliferation of gangs has upset many school systems. The schools’ generally placid existence has been increasingly threatened by students showing gang signs and dress patterns, by gang graffiti, by rumors of gang rivalries that could erupt into on-campus violence, and even by threats and assaults, with teachers as victims.

Schools have had to learn how to get into the enforcement business—security guards, metal detectors, seminars on gang culture, and the like. One of the most vexing problems turns out to be that of dress codes.

The reader might well assume that dress codes, being a form of gang suppression, would not find favor with me. In fact, however, I’ve been coming down on the other side of the issue. The school is perhaps the main place where potential gang members, from the most innocent to active “wannabes,” come into contact with street gang culture. They can’t walk away from it as they can on the street and in the park.

If gang members are forbidden to wear their jackets, colored bandanas and shoelaces, baggy pants or sports caps, and gang haircuts in school, they may drop out. This will not contribute to their future adult roles. Or they may continue to attend but with greater resentment, adding yet another source of gang cohesiveness.

These negative effects must be balanced against the potential benefits. Imitators and gang wannabes will find it harder to display the external accoutrements of gang life. Other students—the majority in most schools—will be even less tempted to try out these elements of gang culture.

Thus, although I have misgivings about antigang dress codes and would prefer more generic codes that don’t target gang members only, I’ve argued in favor of dress codes during school hours. Recent legislation in Sacramento would authorize local school districts in California to require the use of school uniforms as a way of handling dress code issues. I don’t know that this policy can properly be called suppression; behavior control is an alternative label. Gang dress and graffiti have become the side doors to gang membership: Practice the “art,” and become accepted by the “professionals.” To reduce gang fights on campus and reduce the viability of gang culture to the uninitiated, perhaps we should be willing to promote this form of behavior control at the expense of one area of free personal expression.

I thought I’d seen it all until I ran across the Youth Gang Unit of the Cleveland public schools. I imagine there are other school systems that by now have established similar units, but I admit to surprise at hearing from the Cleveland group. One of its members (there are five staff members) described the unit’s functions to me as enforcement and investigation first, staff/pupil/student training in gang matters, and networking with other agencies second. The unit is located in the system’s Division of Safety and Security, leaving no doubt about the tenor of its mission.

It is becoming clear that many schools are running scared. To whom do they turn? Very often, understandably, to the police and far less often, it seems, to social service agencies. And cops love to educate other professionals about their views of the gang problem. Gang identification procedures make for excellent training materials, as do the cops’ “insider” stories about gang violence, the gang–drug connection, and the need to crack down before things get out of hand.

In concert with this emphasis on enforcement, federal agencies (principally the Office of Juvenile Justice and Delinquency Prevention) have established the National School Safety Center, located at Pepperdine University, in the Los Angeles area. The center has produced materials that, to me at least, represent the epitome of enforcement-oriented, misleading, violence-hyping material on gangs.
For example, the center produced a forty-two page pamphlet with a cover drawing of three gang members, complete with bandannas, dark glasses, and sneering smiles, carrying a club, a chain, and three firearms. "Gangs in Schools" offers as its very first written word beyond the title page, the following: "I never had a conscience. I tried not to let things bother me. You got to survive. If I didn't do it [kill people]...I'd get my head blown off" (former gang member).20

The pamphlet then lapses into more hyperbole and false information:

- "Larger gangs in major cities, however, often have members whose age ranges from 8 to 55."
- "Gang members today are much younger than those in years past."
- "Once in a gang, the odds are overwhelmingly against a boy (or girl) ever leaving it."
- "Large, well-established gangs frequently relocate from one city to another to establish themselves as the primary gang presence in town."

The hype includes inaccurate statements regarding the gangs' control of the drug trade. Public statements by the center's director go even further: "Fifty percent of those killed are bystanders."21 The same writer, as recently as 1993, in the face of so much information to the contrary, commented, "Youth gangs, whose organization and existence at one time had primarily a social basis, now are motivated by violence, extortion, intimidation, and illegal trafficking in drugs and weapons."22

It is worrisome to see the occasional gang picture portrayed as the typical gang picture. The ideology of the past twelve years has led to an institutionalized distortion of street gang realities. Who can blame school systems for creating gang units and panicking at the threat of gang members in their schools if they turn first to the street professionals—local police—then to federally legitimated "experts"—like the National School Safety Center—for what they assume to be informed advice? The schools, after all, were never expected to solve the gang problem. Less distorting pictures of gangs in schools are available, and I commend them to the reader.23

**Gang Suppression Through Prosecution**

In the next few pages, I'll discuss suppression efforts by prosecutor, corrections agencies, and legislators. Together, they comprise an increasingly comprehensive package of crackdowns, with varying degrees of failure to implement the basic propositions of deterrence philosophy.

Prosecutor's offices—city attorneys, district attorneys, federal attorneys—are seldom concerned with street-level suppression. Rather, their issues have more to do with the evidentiary quality of the cases they can take to court and with encouraging as well as applying legal statutes that increase the number of "good" cases that they can prosecute. There are occasional efforts, however, that combine the statutory- and street-level forms of suppression, often through the medium of special court orders.

For instance, in the 1980s, the Los Angeles County district attorney asked for a court order declaring gangs to be a form of quasi-corporate structure, meaning that each member could be held accountable for the actions of the other members. The court acquiesced as part of the district attorney's plan to force gang members into a graffiti removal program. Gang members who may have had no part in placing this graffiti around town were nevertheless forced to participate in the program.

The DA clearly saw this development in terms of both specific and general deterrence. That is, the individual members forced to repaint walls would learn thereby not to be graffiti artists themselves, and other members would learn from these "dire" consequences of graffiti work that the practice was not worth the results. Was he right? Would the typical gang member be deterred by having to wash away someone else's artistry, or would he see another injustice here that confirmed his anti-authority predilections? Would removal of his gang's emblems shame him or merely confirm the importance of gang symbolism? Would his homeboys henceforth avoid graffiti work because they might have to wash some walls, or would they instead accept this as part of the moves and countermoves that characterize the oppositional culture of the street gang?

In the absence of certainty of sanction (the wrong members do the cleanup), in the absence of severity (wall washing is hardly a serious sanction), and in the absence of swiftness (weeks and months may pass between writing graffiti and removing it), we cannot be surprised if there is little deterrent effect here. And given the group dynamics that encourage gang members to turn every attack into a self-serving and group-serving validation of their status, we may even expect the DA's program to have a boomerang effect.

A similar fate may await an increasingly popular move by city and county attorneys who seek court approval of "gang-free zones," usually local parks. In such instances, a park or a local neighborhood that has increasingly been taken over by gang members is carefully designated by the court as out of bounds to the gang. This court action permits heightened police surveillance and crackdowns, easier prosecution of misdemeanors and minor felonies that otherwise might have been overlooked, and a "time out" period in which local
residents and authorities can restate their claim to the endangered territory.

Leaving aside the constitutional issues, I would ask again whether an ultimate outcome might not be reenforcement of the gang's status. There are other ways to combat gang takeovers; after all, harassment of citizens and other crimes can be prosecuted without publicly separating gang members from all other youth. Given the special attention and publicity, the gang's status is increased in its own eyes.

In this gang-free zone approach, the deterrence principles are weakly applied not only to past behavior but also to potential future behavior. For some members I have no doubt that future deterrence will be effective for a period of time, but for others it will present only a challenge. Further, some gang-free orders are so inclusive as to prohibit perfectly lawful behaviors, that is, lawful for all but gang members. Are the homeboys expected to shrink away, or will they feel even greater animosity toward a society that

forbids lifelong friends, even brothers in the same family, from associating with one another (in the gang-free zone)...bans certain clothes and certain jewelry... bans...yet-to-be-named individuals from discussing or referring to the gang in any way, and forbids talk about any subject at all while riding in cars.

The proposed order forbids each (member) from waiting for a bus or
otherwise staying in any public place longer than five minutes.

The proposed order would forbid 500 alleged gang members from
engaging in the most ordinary lawful conduct on their own property and
in their own homes. Children could not climb trees or fences... Razor blades...baseball bats, flashlights, even screwdrivers would become
contraband.

Under the proposed order, 500 unnamed individuals would be
required to carry special papers to prove that their everyday activities are lawful.

The quoted description is provided by Paul Hoffman and Mark
Silverstein, two ACLU lawyers and must be understood in the con-
text of an impending legal suit. Even if the lawyers exaggerate, their
description is relevant to my concerns. Once again, however inadvert-
tently, the gang has been recognized and "legitimized" by our
response to it. In this particular case, the Blythe Street Gang of
the San Fernando Valley was named widely in print and on television. I
wonder how many members have pinned the press clippings on the
walls of bedrooms and hangouts or carry them in their jackets and
wallets.

The Blythe Street order is somewhat extreme, and I use it as an
example for that very reason, to illustrate the likelihood of a boomerang effect—short-term deterrent gain at the cost of longer-

Another extreme came in 1989 from the Los Angeles County dis-

Gang Suppression
tricut attorney. Declaring that LA gangs had become "a new and dan-
gerous form of organized crime," the DA announced a new
suppression program. "The objective is to use each occasion that a

member is arrested for a crime, no matter how minor, as a

means to remove him from the streets for as long as possible." In its

coverage of the DA's announcement, the Los Angeles Times noted that a
gang member arrested for drinking in public would thus be prosecut-
ed with the goal of a six-month jail term. There is no pretense here
about rehabilitation, assured the DA.

The best-known prosecution antigang programs are modeled after,
and often named after, the one initiated in Los Angeles by the
district attorney. Operation Hardcore is designed to concentrate
resources and knowledge in the prosecution of serious felony cases
and cases involving known gang leaders. Its aims is to achieve the
highest possible conviction rate in these targeted gang cases.

Central to the program is the use of "vertical prosecution," in

which one deputy DA carries the case forward from investigation

through conviction to provide maximum continuity (normally cases
are handed off to several deputies on the way to final disposition).

Other elements include

- Special training of police in unique aspects of gang warrants.
- Special training of the DA's investigators.
- Special training of police as expert witnesses.
- Witness protection programs.
- High bail requests.
- Elimination of plea bargaining.
- Emphasis in court on conspiracy and gang membership evi-

dence.

According to an evaluation carried out in the early 1980s,

Operation Hardcore in Los Angeles achieved an unprecedentedly high
rate of convictions—95 percent—and understandably was copied
widely across the country in response to the proliferation of gangs
during the last dozen years. Unfortunately, even as the Hardcore
office in Los Angeles has grown from just a few deputies to more than
forty, it has had to narrow its concerns to only selected gang homicides, as these have increased to more than eight hundred per year.

What has emerged more clearly in the process is the distinction
between specific and general deterrence as targets of the operation.

In regard to specific deterrence, suspects obviously are "deterred"
during incarceration. Here, deterrence equals "incapacitation," and
the only available victims become those inside the prison walls.

Whether these felons remain deterred upon their release is almost a

moot point: They've been convicted of homicides and will serve their
But in regard to general deterrence, it is far from clear that the successful prosecution of gang murderers will deter other potential gang members from murder or any other predations. More to the point, until very recently no effort has been made to attempt general deterrence by those district attorneys' offices employing Hardcore practices. I'm reminded of the often-viewed practice in China of placing felons' names and pictures on posters prominently displayed on the streets of many Chinese cities. A picture with a red check mark (✓) denotes an executed prisoner, and there are many check marks.

The Chinese make it very clear that execution is meant as a deterrent message for everyone. If the district attorney wishes to increase general deterrence, he can't count on that happening as a "normal" consequence of getting individual court convictions. Instead, he must advertise his success and consequences; the certainty and severity of sanctions must be broadcast (swiftness in our court system is not possible).

In the last few years in Los Angeles, such a program has been initiated. Posters featuring convicted gang members have been distributed. The one I have in front of me as I write was issued jointly by the DA and the Pomona (California) police chief. It is headed "One less gang member in your neighborhood." The gang member's name and face are shown along with the charge against him and his sentence (in this case, a stabbing and a term of fifteen years to life). At the bottom is the message "Gangs—Prison! Think Twice."

Effective or not, such broadcasting of the consequences of gang activity is at least an attempt to improve the deterrent character of suppression programs. It could be improved by noting the high conviction rate, by using a background of many other "check-marked" pictures (certainty), and so on. But how many relevant people have seen the posters? They tend to be pinned up in the police department, probation and parole offices, and other spots unlikely to be seen by most gang members (or seen too late). The message is lost if not effectively delivered.

After all, arrests, court appearances, and court sanctions are part of the common core of gang conversation. In the unmonitored dynamics of a gang gathering, arrest and conviction are soon distorted by members to enhance their "rep" (reputation). Group respect, not disdain, often becomes the consequence of justice system processing. The poster becomes symbolic of the need to think through every societal response to gang crime, not just from the suppressors' and victims' viewpoints, but also from the perspective of the gang member as well. The message received must resemble the message sent.

The number and character of enhanced prosecution programs have grown with the greater seriousness and prevalence of street gang problems. A recent national survey of almost two hundred prosecu-

tors' offices yielded the following list of statutory provisions now in use for gang prosecutions:

- Transfers to adult court for juvenile gang members.
- Forfeiture of cars used in drive-by shootings.
- Enhanced penalties for crimes committed near schools.
- Confiscation of weapons.
- Assignment for damages to parents of gang-involved children.
- Enhanced penalties for graffiti writing.
- Prosecution for threats related to joining or leaving gangs.
- Prosecution for gang recruitment.
- Prosecution for criminal conspiracy under federal RICO and similar state laws in cases of drug sales and other applicable crimes.

Corrections Programs

In part because I have excluded prison gangs from my overall depiction of street gangs, I also have omitted here programs dealing with incarcerated gang members. But the field of corrections also includes probation and parole, and in some of these, gang suppression programs have evolved. Two in California present contrasting examples.

In Los Angeles, 1980 was thought at the time to have been the peak of gang homicides, at 351. In response, the LASD's gang unit was doubled in size, and the Community Youth Gang Services operation and the district attorney's Operation Hardcore were initiated. Also authorized in 1980 was the Los Angeles County Probation Department's Specialized Gang Supervision Program (SGSP). The reader may recall that Los Angeles's original detached worker program, Group Guidance, also was lodged in the probation department, starting in the 1940s and ending in the mid-1960s. The contrast between the two couldn't be much greater.

Group Guidance was a street intervention program stressing prevention: counseling, alternative activities, and the reintegration of gang members into the community. The gang supervision program, started in 1980 and still in operation, describes its purpose as follows: "Protection of the community is paramount. SGSP intends to accomplish this by removing hardcore offenders from the community, and by the use of custodial time for violations of probation."

Ironically, the first and longtime director of this lock-'em-up suppression program, an ex-gang member from the 1940s, was once one of the Group Guidance workers. He personified a 180-degree turn, reflecting his department's substantial conservative realignment in the Reagan era. In the 1960s, this same man consistently ignored the carrying of vicious weapons by his charges—a machete in one case I remember, a chain and nail-studded club in another. Today, those
tion camps or state institutions. It’s not clear which approach is more meritorious, but the reversal in behavior points up the reversal in philosophy.

The SGSP targets a clientele broader than might be expected: (1) participants in gang killings and gang violence, (2) gang members who are self-identified or so identified by others, and (3) probationers who are “very likely to become involved in future gang activity.” There are forty officers (and their supervisors) in the program, each having an intensified caseload of 50 (normal caseloads are 150 to 1,000 in today’s funding situation). Although there is some prevention activity, the officers’ main job is close surveillance, including unannounced home visits, street cruising, and arrests for technical violations and the most minor of offenses.

These gang probation officers are more community based than office based (note this parallel to the detached worker). Cruising with police and maintaining contact with deputies in Operation Hardcore are regular activities, to which school and other community contacts often take a backseat. An uninitiated graduate student of mine recently spent hours of cruising time with an SGSP officer and two LAPD patrol officers and was shocked at the degree to which the probation officer “outcopped” the cops in his confrontive, suppressive contacts with youth on the streets and in their homes. No pretense, she noted, of personal counseling or concern with family, relations, school, work, and the like; just warnings about attitude and behavior unbecoming to a penitent and quiet activist.

Is there good deterrence in this program? Like Operation Hardcore, it achieves some temporary specific deterrence by way of reincarceration. The heavy surveillance may also achieve temporary deterrence, for the duration of the youth’s term of probation. But there hardly seem to be any built-in lessons for the future continuation of nongang activity and no serious attempt to build on alternatives. Severity is only a piece of the deterrence package.

In regard to general deterrence, the SGSP makes little if any effort to disseminate this message directly. Inadvertently, then, it leaves the message sending to the gang members themselves, and they are free to reject or distort it in their customary fashion. There are no data, of course, on the recidivism rates in the SGSP caseload or on changes in criminal activities among the probationers’ homeboys. The program’s success is measured in units of worker activity and probation violation rates.

A more ambitious program has recently been implemented in San Diego. The JUDGE program involves an integrated attack by police, prosecution, and probation, each employing agency-specific suppression tactics. The correctional (probation) component is described as follows.30

The JUDGE program stresses:

• Strict adherence to probation conditions, including special conditions for gang members (curfews, not associating with other members, not wearing colors) and drug testing.
• Accountability for the actions of targeted offenders with appropriate consequences for violations and new offenses.

Probation. The two probation officers in the JUDGE task force provide information about targeted offenders to law enforcement and the district attorneys, and supervise a limited caseload of about 30 probationers. Most JUDGE probationers are actually assigned to probation officers in other probation supervision units. This highlights the need for coordination with probation staff outside the JUDGE task force regarding actions taken on probation violations and new offenses. In July 1989, the Probation department initiated a Gang Suppression Unit (GSU) to provide intensive supervision for all high-risk gang members. GSU staff are housed in the same office as the JUDGE task force. Currently about 80 percent of the JUDGE caseload is assigned to GSU probation officers. According to JUDGE staff, this facilitates a coordinated response consistent with JUDGE goals and objectives.

When a targeted offender has a new offense or probation violation, the probation officer assigned to the case initiates court reports using information gathered from all components of the JUDGE program. JUDGE probation staff coordinate with prosecutors to ensure that project defendants remain in custody prior to trial or court hearing and the recommendations for sentencing are consistent with the objectives for the JUDGE program.

Gang Suppression Through Legislation

Statutes outlining the nature of criminal and delinquent behavior, as well as the justice system’s responses to these, are just as applicable to gang members as to the rest of us. For many decades of street gang existence, gang intervention got by with a modicum of special, gang-specific legislation. However, with the gang proliferation of the 1980s, the greater evidence of gang violence, and the hyperbole over gang—drug connections, things have changed, led as usual by California.31

Suppression-style programs have increasingly been backed up by, and in many cases initiated by, new gang legislation. A preliminary analysis by the Institute for Law and Justice in 1993 identified fourteen states that recently enacted gang-relevant laws and thirty-one states that adopted RICO-style laws, similar to the antiracketeering federal legislation that can be applied to gangs involved in drug trafficking or behavior that can be liberally construed as a form of organized crime.32
Central to much of this legislation are two related rationales. The first is that gang membership in itself constitutes grounds for arrest, prosecution, and enhanced sentences. The second is that gang activity constitutes a form of conspiracy to commit crimes, and conspiracy brings with it additional laws and additional opportunities for sanctioning. Next I will describe several of the more common types of new antigang legislation, as well as some interesting variations.

**STEP Acts**

Late in 1986, I received a request from Michael Genelin, the newly appointed director of Operation Hardcore, to meet concerning some proposed new legislation. With a colleague, we sat down for a long lunch in our university restaurant to hear about the plans for a new deterrent approach to gang suppression, the proposed Street Terrorism Enforcement and Prevention Act (STEP). The words seem carefully chosen: *street terrorism* to emphasize the severity of gang activity and *prevention* to warm the hearts of liberal legislators. The proposal was creative, unabashedly suppressive in intent, and, to us, quite startling. It clearly bordered on unconstitutional repression rather than "mere" suppression and was based, in our view, on fallacious assumptions about gangs. Because STEP acts are now being enacted across the country, I shall quote the essence of the proposal as first drafted:

Section 423: Legislative Findings and Intent: Prohibited Street Gang Activity; Definitions

- The legislature hereby recognizes that street gangs are involved in terrorism, and that the primary thrust of any street gang is criminal in nature. As defined, it is the intent of this statute to limit street violence and other criminal acts by street gangs through limitation of gang activity.

The legislature recognizes that it is the right of individuals to be protected from intimidation and physical harm caused by any activity of violent groups and individuals. Additionally, it is not the intent of this law, in any way, to interfere with the exercise of rights and privileges protected by the Constitution of the United States. Further, the statute recognizes that it is the right of every citizen to express himself on any subject, and to associate with others who share the same or similar beliefs.

However, the legislature recognizes that violent activity directed against other individuals, or activity that is clearly criminal in nature is not constitutionally protected, presents a clear and present danger threatening public order and safety and should be subject to criminal sanctions.

- Any person who becomes a member of, or maintains membership in a street gang with the knowledge that a purpose of the gang is to engage in assault with a deadly weapon, robbery, murder or sale or possession for sale of narcotics or controlled substances specified in section 11054, 11055, 11056, 11057, or 11058 of the Health and Safety code is by virtue of his membership in the street gang guilty of a felony.

As used in this section a "street gang" is a group of three or more individuals who associate together under a common name or common identifying sign or symbol and whose members engage in a pattern of criminal acts.

A "pattern of criminal" acts is defined as the commission of two or more of the above named offenses, provided that at least one of such acts occurred after the effective date of this statute and that any other predicate offense occurred within ten years of the charged offense.

It proved to be a most interesting, and most difficult, luncheon conversation. The Hardcore director pushed a conspiratorial view of the street gang with genuine surprise, I think, that we questioned it as vehemently as he stressed it. How could we, reputedly gang experts, argue with so many assumptions that, to him, seemed self-evident? As usual, part of the problem came from different exposures. Hardcore saw only the worst cases and never was involved in the normal, humdrum existence of most gang members on most days. Rather, this person saw violence as the core of gangs, whereas we saw it as a dramatic but overstated portion of gang life. Our differences were large enough, and the proposed law important enough, that I took the step—rare for me—of communicating my thoughts in a letter to the director for fear that our concerns might too easily fade in the mind of an advocate. I quote from that letter:

Dear Michael:

I enjoyed our lunch together and appreciated the opportunity to respond to your suggested legislation. I know you took a few notes, but here briefly is a compendium of my concerns:

1. Any time membership or association becomes felonious, I get scared. That's a knee-jerk reaction, and not specific to your legislative intent.

2. "Terrorism," as normally considered, does not apply to most street gangs or to most members. The terminology obfuscates rather than clarifies the nature of street gangs.

3. I dispute that "the primary thrust of any street gang is criminal in nature." Rather, the primary thrusts have more to do with identity, status, companionship, and perceived protection against perceived threat. Same comment applies about obfuscation.

4. Any person who becomes a member needs to be changed to "who is a member," remembering that joining may have preceded the current charge by a number of years.

5. The gang doesn't have purposes—members do. Don't overestimate the cohesion or stability of the gang structure.

6. Membership may be your slipperiest concept. It is, in the final analysis, judgmental. In fact, many youths claim membership which they don't really have.
7. Choice of "three or more" does not relate at all to the usual terminology nor to the objective reality of gang structure. Would you consider writing your legislation without reference to the term "street gang"? You could use "criminally involved group" and avoid most of my problems. Many criminally-involved groups are not "street gangs."

8. I remain, in any case, pessimistic about your hope that such legislation can act as a deterrent to either gang membership or criminal behavior, for reasons discussed at the lunch. Deterrence is far trickier than to be much affected by crack-down provisions.

I hasten to add that since that first encounter, Mike Genelin and I have worked collaboratively and with good rapport on several projects. Even more important, he was faced with the failure of suppression efforts to stem the gang tide and is now a strong advocate of enforcement/community coordination for gang prevention.

His original proposal ran into the expected resistance on constitutional and other grounds, was considerably modified both before and in the legislative hearings, but still emerged with its major intent intact. The essential elements include the following:

1. The term used is criminal street gang, to provide a less inclusive framework. The criminal street gang remains "three or more persons," no matter how informal the group structure, with one of its major activities being the commission of any of a specified set of criminal acts. This act is limited to serious offenses only, again narrowing the earlier focus. These are aggravated assault, robbery, homicide or manslaughter, drug trafficking, drive-by shootings, arson, witness/victim intimidation, and auto theft.

2. Rather than the all-inclusive membership proposal, the act defines its target as "any person who actively participates in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity [defined by the offenses noted], and who willfully promotes, furthers, or assists in any felonious criminal conduct by members of that gang." (I have put into italics certain phrases to point out the careful narrowing of the act's applicability.)

3. The "pattern" of criminal gang activity is further limited to involvement in at least two of the listed offenses.

These definitions provide some bulwarks against constitutional challenges. They exclude the bulk of gang-related crimes committed for individual rather than gang purposes—all the thefts, vandalism, minor assaults, weapons possession, drug possession for personal use, and so on. They exclude mere gang membership as an offense, and yet they allow enforcement agencies to concentrate on the serious crimes most concern to them and on less serious crimes with probable gang goals. So far, the STEP act has been copied and enacted in Florida, Georgia, Illinois, and Louisiana.

What the act also provides is enhanced punishments for convicted targets. Life imprisonment, if imposed, cannot mean parole during the first fifteen years. The court can impose up to three years of additional prison time for any convicted felony. Lesser enhancements are also available for jail terms. In deterrence terms, the STEP act adds a degree of certainty and some sanction severity as well. The added certainty of punishment is probably the more relevant deterrent property because of the way the act is carried out. To establish that any given street gang, and therefore its members, can be subject to the act, several activities are undertaken. In the new vernacular, a gang is "STEPped."

- Police and/or staff from the district attorney's or city attorney's office gather evidence from crime files and from interviews with local residents, businesspersons, and others that a targeted gang fits the "criminal street gang" definition.
- This information is then presented to the court, and the judge issues (if he or she is convinced) an enabling judicial order.
- Known gang members are then notified in writing that they are members of such a group. With such notice, the provisions of the act can then be applied to these members for future offenses.

The C.Q. Researcher journal cites one lighter moment in STEP act history: "In one instance, a gang member who received this letter from a district attorney crumpled it up and tossed it away, resulting in an arrest for the less-than-macho crime of littering."

Is the deterrent message received as sent? A local precinct commander believes so: "From the hardcore to the wannabes, they know their next arrest will be dealt with severely." In some communities, there have been reports that STEpped gangs have changed their names to invalidate the notices. An experienced ex-gang member, now an officer in the Specialized Gang Supervision Program, reported to me that even though the younger members don't understand the implications of being targeted, the older members make themselves scarce in order to avoid the official notification letter.

This notification procedure may indeed contain the seeds for useful deterrence. The "message" is literally passed from enforcement to gang member. The credibility of the message is enhanced, and legal implications of gang activity are clarified. Specific (member-by-member) deterrence is attempted, not just the ambiguous message sending of Operation Hardcore, with little of the boomerang effect that Operation Hammer seems to encourage by distorting the message.
Of course, misapplication of STEP can reduce credibility and therefore effectiveness. As occurred in Pasadena recently, gang members’ homes were searched and members arrested in the belief that the act “makes it a crime to participate in a street gang.” The court later threw out the charges, and one might expect that these gang members and their homeboys felt vindicated more than deterred.

The idea of the written notification has been expanded in a number of states, usually through local versions of the STEP act. The definitions have not successfully been challenged in court, so there is good reason to expect further expansion of the approach. Furthermore, we can expect embellishments. For instance, proposed legislation in California would have required gang members convicted under the act to be registered in much the same manner as habitual sex offenders are. My only wish at this point is that competent research could have been done in conjunction with these STEP acts. This has been our best opportunity to assess the deterrent capacity of a gang suppression program that actually uses at least some elements of deterrence theory. Once again, an opportunity to learn from our responses to gang activity has been lost.

Civil Abatement Laws

In the continuing search for laws to curb gang activity, various civil statutes have recently been invoked. Such laws allow us to deal with neighbors who party too loudly or allow junk and garbage to pile up. They also deal with failure to meet zoning restrictions or requirements for proper electrical and plumbing installation. Public nuisance laws fall under the same general heading.

This doesn’t sound like the stuff of gang suppression, but consider the case of a gang hangout, be it a home or street corner. Or consider the case of a crack house or other drug-dealing location. Here the application of such laws not only to the gang members but also to the property owners, if followed by selective enforcement, could effectively suppress gang activity on the site, at least temporarily, and keep it “on the move” in a less organized fashion.

In its first major application in Los Angeles, the city attorney accumulated and presented to a superior court judge enough evidence to produce an injunction against the Playboy Gangster Crips, a street gang rather heavily involved in crack dealing. Under the injunction the gang members could be arrested (and indeed were) and found in contempt of court for such acts as writing graffiti, blocking driveways and sidewalks, or any other form of public nuisance or intimidation of local residents. Other less obvious suggestions from the city attorney, such as leaving homes at night, gathering in public, or “boisterous behavior,” were rejected by the judge as being unconstitutional.

All of this was made possible by the judge’s ruling as requested by the city attorney, that the gang constituted “an unincorporated association,” thus legitimizing inferences about gang organization and management and making any member party to an organized conspiracy. There is a parallel here to some aspects of the STEP act.

Not only are such laws used by enforcement officials, they also meet the needs of citizens. Local residents have taken landlords to court for allowing gang or drug activity to persist, with awards to the complaining citizens of $18,000 in Berkeley, $20,000 in Hollywood, and $30,000 in San Francisco. This time it’s the landlords who are being deterred, deterred from permitting gang activity on their properties.

Landlords can be instructed, under the threat of fines, jail, or loss of the property, to improve lighting, install a security system, repair locks or fences, remove graffiti, tow abandoned vehicles, trim shrubbery, hire a manager, recondition the rental agreement, and so on. The Los Angeles city attorney has prepared educational material, What You Need to Know About Gangs and Drugs: A Handbook for Property Owners in Los Angeles. The suppression message is spread to those who have the most to lose, the landlords. The gangs themselves are not the direct targets; rather, their activities may be suppressed through inconvenience or manipulation of their environment, much as is the case with the cul-de-sac operations mentioned earlier. In this sense, the suppression is more sophisticated in that it recognizes that street gangs have contexts and are affected by those contexts. Direct frontal attacks are not the only armament of enforcement agencies.

Closing the Public Parks

I mentioned earlier the somewhat Draconian attempt to suppress even the normal activities of the Blythe Street Gang in their general neighborhood. This was really an extension of a recent series of local ordinances targeting the use of public facilities. Local parks have traditionally been hangouts for street gangs, and sometimes they also are convenient sites for drug sales. Occasionally gang members come to think of a park as “theirs,” and the general public comes to feel endangered there and excluded from using the facility.

Sometimes park managers can effectively run off the gang members, retaining its use for the 95 percent at the expense of the five. In Los Angeles, the issue was fully joined at Las Palmas Park in the San Fernando Valley. Using a city ordinance with a one-year limitation, the police were instructed to STEP the gang members with specific reference to use of the park, territory claimed by two rival gangs. The constitutionality of the ordinance has become more of an issue than its deterrent intent, and other cities are awaiting the outcome to see
whether yet another weapon against gangs has become available. The
ACLU has entered the fray to protect gang members' rights to free
assembly. Meanwhile, gang members are avoiding the park and the
written notices or arrests awaiting them there. The test of constitu-
tional
tionality has been passed in most cases like this but failed in one
instance in Orange County, California. The city of Pomona added a
second park to the action, and the county's Board of Supervisors has
instructed park officials and the Sheriff's Department to compile a
complete list of "gang-plagued" parks for possible inclusion in a much-
larger suppression effort. Most recently, the Los Angeles City Council
proposed a 350-park ordinance.

In addition to the questions about deterrence is that concerning
where the park-less gang members will go. Will they retire to their
homes or to our streets? No other, more positive alternatives are con-
ected to these suppression targets.

Additional Legislation

Perhaps the best window on new and creative suppression approaches
is provided by federal racketeering laws (RICO) based on conspiracy
assumptions and fueled by the war on drugs. Local recourse to federal
statutes also allows direct collaboration with the FBI, DEA, and ATF.
In the Los Angeles area, police departments have created relationships
to the federal approach, ranging from outright rejection to total col-
aboration. Street gang involvement in drug distribution is a major
determinant of the local-federal connection.

The state of Wisconsin provides an example in the recently intro-
duced Wisconsin Street Gang Crime Act. In addition to $1 million in
grants to law enforcement and other antigang programs, the bill—
known as Senator Chuck Chvala’s "Gangbuster bill"—adds new
penalties for such acts as drive-by shootings and gang recruitment. It
also doubles the penalties for specifically gang-involved drug dealing,
weapons violations, and battery. The senator's deterrent intent is
explicit: "My bill is meant to send a simple message to youth gangs:
Your time is up. We won't tolerate your reign of terror in the streets,
schools, and neighborhoods of our cities."

In California, the newest package of proposed antigang laws is
even more diverse and includes

- Prosecuting and sentencing 14- and 15-year-old murder sus-
 pects as adults (current law permits this at age 16).

Another proposed law in California, noted earlier, would require
the registration of any convicted gang member, similar to the state
law requiring the registration of sex offenders. Failure to register
would itself be a misdemeanor.

In California and Minnesota, laws went on the books providing
stiffer penalties for crack offenses than for any other drug, because of
the gang-crack connection.

In California, a late 1980s antigang legislation package included a
provision for convicting parents who willfully fail to control their
children's gang activities.

Gang-related statutes, some proposed and some proposed and
passed, set the unmitting tone of California's legislation in the late
1980s and early 1990s. Included were an easier waiver to adult court
for certain gang-style offenses (drive-by's, witness intimidation, and so
on), drug sentence enhancements, stiff penalties for drug sales on or
near school grounds, prison terms for use of crack houses, broader
use of seizure and forfeiture of property for drug trafficking (modeled
after federal RICO statutes), sentence enhancements for use of
firearms during drug offenses, new controls on automatic weapons,
and special programs for graffiti removal.

Finally, a flurry of new California laws passed in 1993 include a
sentence to life in prison without possibility of parole for drive-by
murders; authorization for school boards to prohibit gang-related
clothing styles in school; and designating as a felony any attempt by
an adult to recruit a minor as a gang member or to entice a minor
into criminal gang activity. A bill before the legislature in early 1994
would allow a gang member, from the age of 12 up, who committed a
serious felony to be remanded to adult court for prosecution.

As long as gangs continue to proliferate, we can expect that gang
suppression legislation will also continue to proliferate. The only
remarkable aspect of this trend is the continuing imbalance in the
suppression/prevention proposals. Less remarkable, regretfully, is the
absence of concern for assessing the effects of all this legislative effort.

As the reader knows by now, my guess is that the effects may, in
many instances, be negative. I have made the point that the straight-
forward intentions of gang suppression programs may backfire. Their
implicit deterrent properties and messages may be altered by the
receiving gang members. Although this is less likely to be the case
with nongang audiences, drug-dealing cliques may display the same
character as that of traditional street gangs.

In time, we must survey the effects of suppression programs on
both grouped and mass audiences, but for the moment I'm concerned
specifically with the group setting. In transitional and inner-city areas
where formal social controls are weak, group processes can more easily emerge to direct youthful behaviors.

Moore and Vigil suggest quite properly that “gangs maintain an oppositional, rather than a deviant subculture” and thus represent “an institutionalized rejection of the values of adult authority—especially as exhibited in the Anglo-dominated schools and the police department.” In a context in which a major law enforcement official declares that his department will “obliterate” gangs and that “casual drug users should be shot,” this oppositional value system makes sense.

The gang literature is replete with descriptions of the oppositional, reinterpreting pattern of gang members, which were effectively restated in deterrence terms by Zimring and Hawkins:

- “It seems possible that threats of punishment, so far from being disincentives to crime, may in these [gang] circumstances even function as incentives to it” (p. 216).
- “The operation of deterrence is greatly complicated when group pressures may not only inhibit the expression of the fear of sanctions but also in some instances convert stigmata into status symbols” (p. 317).

Thus the gang setting discourages the assignment of legitimacy to police, prosecution, and court accounts of acceptable behaviors. It denies the wrongfulness of many offense incidents (though not of all offenses per se). It encourages the bravado that accompanies antisocial deeds and utterances. It legitimate violence in the setting of gang rivalry and protection of drug dealing, and it accepts the gang’s moral superiority in unequal battles and predations against both the weak and those in authority. In the area of drugs in particular, in which personal indulgence and profits are immediate and personalized, the credibility of antidrug messages is seriously endangered. And in the context of a neighborhood that tolerates trafficking, straightforward deterrence messages fall on deaf ears. The differences in effect between such programs as Operation Hammer and STEP acts could provide considerable illumination on how to use suppressive deterrence programming for control purposes.

So what are the prospects for the future? In the next decade or the gang picture likely to improve? I fear not. First, our approach intervention and control are likely to be more of what we already seen. Second, street gangs are the by-product of urban lems likely to increase in severity. Third, we’ve allowed—indeed could not have prevented—the widespread diffusion of street culture. Finally, there are signs that our unique American stree is emerging in other nations as some of their urban situations more to resemble ours. This chapter will be concerned with these issues. I apologize ahead of time for the pessimism, but I think simply realistic, just as it was ten years ago when John Quicker

In short, the general outlook for reductions in gangs and gang crime is poor. In fact, the opposite appears likely. Worsening socio-economic conditions, federal rollbacks of hardwon civil rights legislation, and a potential increase in racism, and an expanding minority you-

predictions are dangerous, of course, but in this chapter I look at several factors that I think will characterize gangs an control for the immediate future. They are among the sources of pessimism: a misplaced emphasis on networking and infor-

shoring among enforcement agencies, the continuing contribu