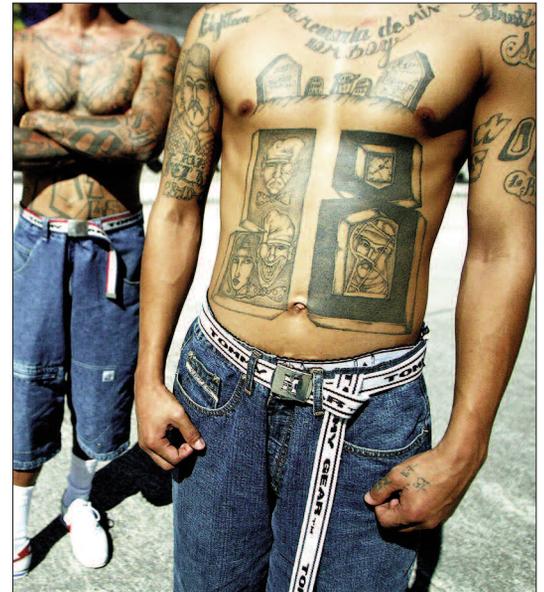


Gangs in the U.S.

Are anti-gang efforts by law enforcement effective?

Violent-crime rates are near historic lows in the United States, but in many urban areas violent crime, particularly homicide, remains pervasive, largely due to street gangs. In some areas police blame 80 percent of all crime on gangs. This summer, during a single weekend in Chicago, 54 people were shot, nearly all because of gang violence. Meanwhile, spillover from Mexico's violent narcotics trade is swamping U.S. law enforcement resources. The federal government estimates the U.S. gang population at 1 million, distributed across some 20,000 gangs. As the gangs grow larger, they merge and grow in strength, often overwhelming local and state police efforts. And a new study calls federal anti-gang efforts uncoordinated and ineffective. Meanwhile, though studies have shown that prevention and counseling programs provide a greater return on public investments than crime-fighting efforts, police anti-gang efforts still get far greater financial support.



Mara Salvatrucha gang members are known for their violence as well as their tattoos. Police report increased coordination of criminal activities by MS-13 "cliques" in several U.S. cities, including New York, Atlanta, Dallas and Washington.

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RECIPIENT OF SOCIETY OF PROFESSIONAL JOURNALISTS AWARD FOR EXCELLENCE ♦ AMERICAN BAR ASSOCIATION SILVER GAVEL AWARD

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Gangs in the U.S.

BY ALEX KINGSBURY

THE ISSUES

Cynthia Cole, nicknamed “Coco,” didn’t pose much of a threat to the Black P Stone street gang. At just 20 months old, she was wearing diapers and still months away from starting preschool. Coco was sitting in the backseat of a car last April next to her two sisters in the Calumet Heights section of Chicago when 21-year-old Danzeal Finley fatally shot her in the head, prosecutors say.

Finley, a neighbor and a member of the Black P Stones, had been gunning for Coco’s father, Jerome Hendricks, a member of the rival Gangster Disciples gang, according to police. Finley apparently believed that Hendricks was going to testify in the trial of yet another gang member.¹ In Chicago, a metropolis long familiar with gang violence, Coco’s tragic death was not front-page news.

Two months later, in the course of a single weekend in June, 52 people were shot in the Windy City, mostly as a result of gang violence.² The city convulsed in yet another spasm of carnage the following weekend, when 29 more people were shot. Distraught lawmakers called on the governor to deploy the National Guard to stop the killing. Days later, the U.S. Supreme Court, after months of deliberations, overturned a citywide ban on handguns — upholding a challenge brought by a man who claimed the ban prevented him from defending his home from gangs.³

Although the level of violent crime nationwide is at or near historic lows,



Getty Images/David McNew

Police display the more than 100 guns confiscated in Los Angeles’ Lakewood neighborhood in May 2009 during what federal law enforcement officials say was the nation’s largest anti-gang operation. Nearly 150 alleged gang members and associates were arrested in a case that involved racially motivated attacks on African-Americans by Hispanic gangs.

crime attributed to gangs in the United States is on the increase.⁴ In addition to street gangs, there are motorcycle gangs, gangs in prisons and schools, on Indian reservations and even in the military.⁵

Attorney General Eric Holder this week called gun, gang and drug-related violence the country’s “most overwhelming and intractable challenges.” “Yes, national violent crime rates have dipped,” Holder told a group of social workers in New Orleans. “But there are areas where the reduction numbers we celebrate mean nothing — where children are ac-

customed to the sounds of gunshots; where young people are lured into gangs; where funerals outnumber weddings.”

Yet for many, the public face of gang crime is the narcotics-fueled insurgency raging in Northern Mexico and occasionally spilling over into the United States. In the past three-and-a-half years, more than 23,000 people have been killed along the U.S. border in connection with the drug gang violence.⁶

But in many American cities violence — often the deadly variety and often gang-related — remains a daily reality. Despite falling crime rates elsewhere, homicides among young men ages 25 to 34 have been rising for the past decade-and-a-half. Most victims are black, and 67 percent of the killings involving young men are gang-related.⁷ In fact, police departments say much of the violent crime in areas from California to Maine — up to 80 percent in many communities — comes at the hands of gangs.⁸

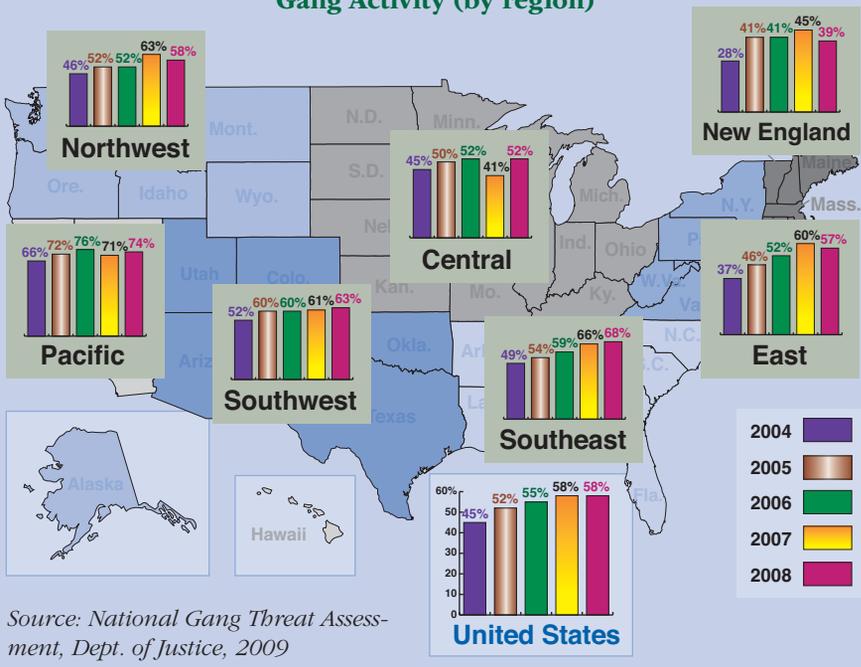
The caveat “many” is important. Routine gang violence almost exclusively impacts those living in poor and minority communities. Homicide is still the leading cause of death for young, black men, and much of that killing is related to gangs.⁹ Josh Sugarmann, executive director of the nonprofit Violence Policy Center, says the problem simply isn’t taken seriously outside of minority communities.

“This is a long-ignored crisis that is devastating black teens and adults across our nation,” said Sugarmann earlier this year. The crisis has largely been ignored, in part because gangs

Midwest Had Largest Increase in Gang Activity

Gang activity increased in every region of the United States between 2004 and 2008, but in three regions — New England, the East and the Northwest — it seemed to peak in 2007 and declined in 2008. The largest increase was in the central region, which includes Chicago, the home of several large gangs.

Percentage of State and Local Law Enforcement Agencies Reporting Gang Activity (by region)



are relatively localized to their own communities. Veteran gang researcher Malcolm Klein, the former director of the Social Science Research Institute at the University of Southern California, is quick to point out that most Americans will never have contact with a gang member.¹⁰

Of course, it's not just homicides. Gangs are also behind countless armed robberies, assaults, auto thefts, drug sales, extortions, home invasions and illegal gun sales. Gangs also dabble in mortgage fraud and identity theft.¹¹

"Gangs are committing all types of crimes wherever they go, that's just what they do," says Mark Chait, assistant director of field operations at the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Since the days

of legendary lawman Eliot Ness, federal agencies have focused on arresting the country's most violent gang offenders.

Local police shoulder the brunt of the frontline fight against gangs. But given the regional and sometimes international reach of modern street gangs, federal agencies like the ATF have become an indispensable part of the war, often participating in task forces with local police targeting senior gang leaders. The strategy is based on research showing that a very small number of gang members are responsible for the vast majority of gang crimes.

The FBI is a natural lead player, given its large presence, but other federal law enforcement agencies play smaller niche roles against a diverse

and evolving adversary: ATF (undercover work and firearms tracing), Drug Enforcement Agency (DEA) (narcotics), Bureau of Prisons (prison gangs), Customs and Border Protection (bulk drug and currency seizures) and Immigration and Customs Enforcement (international connections). In addition, lawyers from the Justice Department prosecute the offenders.

Law enforcement officials insist there is a serious gang problem. The 50 states are home to an estimated 1 million gang members who belong to some 20,000 gangs, according to the "2009 National Gang Threat Assessment," compiled by the Justice Department with the aid of local and state police departments. Gangs themselves are also the "primary retail-level distributors" of illegal drugs and pose a threat to both the Canadian and Mexican borders as they network with transnational drug cartels to move narcotics in — and money out — of the country.

But the broad numbers don't tell the whole story, says Mark E. Kraft, acting director of GangTECC, the Justice Department's National Gang Targeting, Enforcement & Coordination Center. "To a citizen who lives in fear, the worst gang in America is the one in their neighborhood — the one trying to recruit their child at school, the one selling drugs on their block, the one whose stray bullet ended the life of their neighbor's child," he says.

Local and federal authorities say gangs have become so widespread in part because the term "gang" is vague. A commonly accepted definition is "a group of three or more individuals who engage in criminal activity and identify themselves with a common name or sign."¹² Although many police departments around the country have come to adopt that definition, critics note that it is quite broad and can be used to encompass all manner of criminal associations far different from traditional street gangs like the Black P Stones, prison gangs like the Aryan

Brotherhood or biker gangs like the Hells Angels.¹³ As some legal analysts and critics have noted, “members of an association of sports coaches who create a small sports betting pool could be charged as members of a criminal street gang.”¹⁴

In inner-city neighborhoods, and increasingly in the suburbs, gangs have little trouble filling their ranks. Whatever their motivations for running with a gang, members are both victims and victimizers: Some 80 percent of those in gangs say they wish they could get out, according to the National Gang Crime Research Center.¹⁵

In 1993, shortly after the country’s crime wave peaked during the crack cocaine epidemic and the accompanying fights between gangs to control distribution, the FBI developed its first National Gang Strategy. It aimed to integrate federal, state and local resources — from investigation to prosecution to incarceration — particularly in gang hotbeds like Los Angeles, New York and Chicago.

The national strategy often led to specialized “gang units” being created within police departments. But the results were mixed, and the gang units were blamed by critics for hampering community policing efforts and siphoning off resources from other law enforcement units. Moreover, the strategy was criticized for simply responding to the rise in gang violence rather than the root causes of gang formation.¹⁶

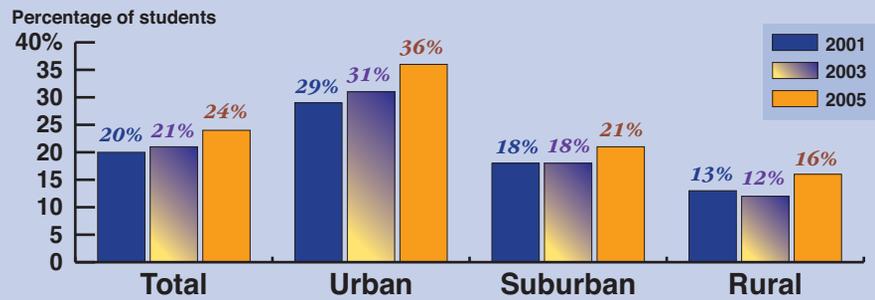
In 2006, more than a decade after the nationwide fight against gangs was launched, Attorney General Alberto Gonzales called for a National Gang Summit. “First, we must address the personal, family and community factors that cause young people to choose gangs over more productive alternatives,” Gonzales said. “The more success we have in prevention, the fewer people we’ll have to prosecute for violent activity down the road.”¹⁷

Numerous studies have shown that prevention and counseling programs

More Students Reporting Gang Activity

In a modest increase from four years earlier, nearly a quarter of American students reported gang activity in their schools in 2005, the latest year for which there are statistics. The biggest jump occurred in urban schools, where more than a third of students said gangs were operating in their schools.

Percentage of Students Reporting Gang Activity at Schools, 2001-2005



Source: “National Crime Victimization Survey 2009,” U.S. Department of Justice

provide a far greater return on public investments than crime-fighting efforts.¹⁸ But in the past two decades, social services have rarely received sustained political and public support. Anti-gang law-enforcement and incarceration activities, on the other hand, have been relatively well-funded, critics say.

“The police and government fail to understand the sociological depth of the gang crisis in the industrialized world,” says Albert DiChiara, a professor of criminal justice at the University of Hartford in Connecticut. “Looking at gangs as a crime problem is like looking at skin cancer as a case of teenage acne.”

Current law enforcement responses to combating gangs vary greatly by jurisdiction. But, as with other complex social problems, the most effective solutions tend to involve coordinated efforts among highly targeted anti-gang units, community policing and social services to remove violent criminals from neighborhoods.

As the war against gangs continues, here are some of the questions being asked:

Do law enforcement campaigns that target gangs reduce crime?

As “Operation Southern Snow” came to a close at the end of June, the ATF announced with great fanfare the arrest or indictment of 270 members of street, prison and motorcycle gangs in 15 states.¹⁹ The sweeps began with wiretaps, undercover investigations and often the controlled purchase of guns to catch illegal buyers after an assessment made in cooperation with local law enforcement.

The arrests often involve the use of regional ATF SWAT teams equipped with armored vehicles, automatic weapons and stun grenades to forcefully arrest gang members in their neighborhoods. From 2003 to 2009, such heavily armed ATF agents took 130,000 gang members off the streets.²⁰

The raids can have vastly different impacts depending on the community targeted. Some of the raids in the June sweep occurred in larger cities, Daytona Beach, Fla., and Nashville, Tenn., for instance. But others came in smaller cities not known for gang

Largest Gangs Draw From Ethnic Minorities

Three of the five largest gangs in the United States are predominantly Hispanic, while the other two gangs are mostly African-American and Asian. Total membership of the five gangs is more than 1 million. Among the largest U.S. gangs are:

Latin Kings — Formed in the 1960s in Chicago as the Almighty Latin Kings to overcome oppression and create an organization of “Kings,” the predominantly Hispanic group has evolved into a criminal enterprise operating throughout the United States under two umbrella factions: Motherland — also known as KMC (King Motherland Chicago), with up to 35,000 members — and Bloodline (New York), with up to 7,500 members. While continuing to portray themselves as a community organization, the Kings engage in a wide variety of criminal activities, including homicide, drug trafficking, assault, burglary, identity theft and money laundering.

Black P Stone Nation — One of the largest and most violent associations of street gangs in the United States, the Nation consists of seven highly structured street gangs with a single leader, a common culture and an estimated 6,000 to 8,000 members, mostly African-American males from Chicago.

MS-13 — As one of the nation’s largest Hispanic street gangs, Mara Salvatrucha traditionally consisted of loosely affiliated groups known as cliques. But law enforcement officials report increased coordination recently of criminal activity among MS-13 cliques in Atlanta, Dallas, Los Angeles, Washington, D.C., and New York City. The gang has 30,000 to 50,000 members and associate members worldwide and 8,000 to 10,000 U.S. members.

Tiny Rascal Gangsters — One of the largest and most violent Asian street gang associations in the country, the Tiny Rascals consist of at least 60 structured and unstructured gangs, commonly referred to as sets, with about 5,000 to 10,000 members and associates who have adopted a common gang culture. Most members are Asian-American males. The sets are most active in the Southwest, Pacific Northwest and New England.

Sureños or Norteños — As individual Hispanic street gang members enter prison systems, they put aside former rivalries with other street gangs and unite under the name Sureños or Norteños. The original Mexican Mafia members, who were mostly in Southern California, were contemptuous of Mexicans from Northern California’s agricultural areas, whom they saw as weak. To distinguish themselves from the agricultural workers or farmers, Mexican Mafia members began to refer to Hispanic gang members who worked for them as Sureños (Southerners). Inmates from Northern California became known as Norteños (Northerners).

Source: “National Gang Threat Assessment 2009,” Department of Justice

violence, such as Naugatuck, Conn., Aurora, Colo., and Paris, Ky.

“Numbers don’t really tell the whole story,” says Assistant Director Chait. “We’re looking to make the biggest impact on violent crime rates, to go after the most violent gang members and take out the cancer. If you’re in a major city, the impact is going to be harder to see unless you’re living in the neighborhood. But if you are in a smaller city, the impact can be pretty vast.” It’s up to the local police, social workers and other stakeholders in troubled communities to capitalize on the absence of violent offenders, he says.

While non-law enforcement efforts are less glamorous and more difficult than making high-profile arrests, they are key, according to experts. Many cities are now trying a strategy that criminologists call “focused deterrence” — targeting the most violent offenders with a three-part message: that killings will result in severe collective punishment from the police, that their gang activity is bad for the community and that there is a way out for gang members who want to change their ways. It’s a simple message, and one that formed the cornerstone of Boston’s Operation Cease-fire, credited with helping Boston achieve a remarkable turnaround in its homicide rate in the early 1990s, christened by criminologists as “The Boston Miracle.”²¹

In 1990, with more than 152 homicides and 1,000 aggravated assaults, Boston was in the grip of a gang war. Facing a city budget crunch, both Police Chief William Bratton and the mayor were at a loss. The department committed itself to community policing and cooperation with the Cease-fire group. The effort paid off: Homicides overall dropped 50 percent, and those among people under age 24 plummeted by two-thirds.

David Kennedy, director of the Center for Crime Prevention at John Jay College in New York City, who helped

create Ceasefire, is quick to note that the program “is not focused on suppressing gang activity.” Instead, it aims to “influence the behavior of groups and group members,” he says. And while there may be some outliers, most of those groups are gangs.

Cincinnati has practiced a similar anti-gang effort for several years, after a less-successful attempt at halting gang activity. In 2006, 89 people were killed in the city amid a record-setting spike in crime, much of it caused by gangs. The police formed an elite gang-fighting squad of 60 officers, called “Vortex.” In a zero-tolerance policing binge, Vortex made some 2,600 arrests in a single summer, on charges ranging from jaywalking to armed robbery. Relations between the community and the police disintegrated, and the homicide rate remained unchanged.²²

The failure of Vortex led to the Cincinnati Initiative to Reduce Violence, a variation on Boston’s Operation Ceasefire. It utilized federal, state and local law enforcement agents to target violent gang members and convey to them the threat of severe collective punishment if the killings continued. Social service workers, clergy and others conveyed the remaining two parts of the message.

When a gang killing occurs, the police will make life painful for known gang members, their leaders in particular; gang members will be arrested for the slightest infractions; cars will be impounded and police will visit and talk with gangsters’ relatives. The crackdown continues until the killing ceases.²³

Since the program began, homicides in Cincinnati have plunged by 37 percent.²⁴

But other cities, including Las Vegas, Los Angeles and Indianapolis, have not been able to reproduce the effort successfully. Chicago also saw mixed results with the model. Supporters of the idea say the program was not duplicated exactly, giving too

great a weight to law enforcement components, for instance, or not enough citywide resources were utilized.

Critics of the method now include Bratton, who saw Ceasefire fail when he headed the Los Angeles Police Department. These critics believe that places as large and spread out as L.A. lack the intimacy that helped the program succeed in Boston and other small and mid-sized places. Money is another reason. Researchers from the RAND Corporation found that in Los Angeles “the carrot side of these interventions will always lag far behind the stick side in spite of the best intentions that it not do so, unless some extraordinary efforts are made.”

Ultimately, it will require a comprehensive solution, says Fred Stawitz, the coauthor of *Homeboy’s Soul: Pride, Terror & Street Justice in America*. “Unless the underlying socioeconomic conditions — poverty, cultural isolation, unemployment — that facilitate the growth and development of gangs are addressed with equal virulence, then suppression alone may result in a strengthening of gangs, as it does little or nothing to reduce the number of potential youthful recruits.”

Do illegal drugs cause gang violence?

Gangs, like other organizations, need to make money. Illegal drugs have long been the high-risk but high-return investment that gangs can monopolize in their neighborhoods. With billions to be made in the illegal drugs market, the marriage between the two is evident.

“Street gangs, outlaw motorcycle gangs and prison gangs are the primary distributors of illegal drugs on the streets of the United States,” according to the FBI. “Gangs also smuggle drugs into the United States and produce and transport drugs within the country.”²⁵

But are illegal drugs the cause of gang violence? Studies trying to an-

swer that question over the past two decades have drawn complex correlations between gangs, drugs and violence. Economists Russell Sobel and Brian Osoba, for instance, examined the relationship between the three and came to a startling conclusion: “While it is true that some gangs use the drug trade to help finance their activities, the empirical literature has uniformly [rejected] the view that drug activity is the main reason for gang formation and existence.” They also found that “street gangs are far less likely to be involved in the illegal drug trade and the associated violence than the law enforcement literature suggests.”²⁶

In sum, there is some evidence that drugs fuel conflict between the gangs that deal them, which in turn can lead to more weapons owned by gang members, which increases the likelihood that those guns will be used. A Justice Department review of the evidence concluded that “drug trafficking is strongly associated with other serious and violent crimes but not necessarily that drug trafficking by gang members causes more frequent violent offending.”²⁷

Drugs are a reliable source of money for gangs, but drug revenues don’t necessarily trickle down to all those involved. Shattering the image of jewelry-sporting drug dealers in limousines, the book *Freakonomics* posed the question thus: “If drug dealers make so much money, why do they still live with their mothers?”²⁸

Economists investigating the finances of the crack-dealing Black Kings street gang in Chicago found the group had a lock on the local market and that street-level drug workers netted somewhere between \$6 and \$11 per hour in the crack-distribution trade. But the wage scale is heavily skewed. “Gang leaders earn far more than they could in the legitimate sector, but the actual street-level dealers appear to earn less than minimum wage . . . in spite of the substantial risks associated with such activities.”²⁹ In other words, it

Gun Trace Requests Have Skyrocketed

In a sign that gang activity is on the increase, requests for gun traces have jumped dramatically in the past two decades. Law enforcement officials requested only 48 traces in 1988 but asked for nearly 350,000 in 2009. Trace requests normally contain information about the suspect, the crime, the firearm, the weapon owner and where the gun was recovered.



is a terribly dangerous business for such a tiny monetary reward.

Surprisingly little reliable research exists on the economics of drug dealing and even less firsthand research about the economics of street gang drug dealing. National numbers can paint a broad picture of rampant violent crime in some neighborhoods plagued by gangs. But in the limited study of the Black Kings in Chicago, the dangers to low-level dealers were made explicit: Over a four-year period, the average gang member was arrested six times and sustained two-and-a-half non-fatal wounds. The chance of being killed was one in four.³⁰

The authors also found that gang wars were fought for economic reasons as often as for political ones. Gangs undersell their competitors to win market share and hurt their rivals' capacity to earn money, buy weapons and challenge their dominance. Homicides were part of the business, used to deter rival gangs, but harmful to business because killings attracted a larger police

presence and thus made making money more difficult. Given the high mortality rate, the authors concluded that gang members place a "relatively low" value on their own lives.

Gangs haven't always been so deadly, nor were they always so interested in selling drugs. Since the crack cocaine explosion in the late 1980s and early '90s, drugs have become a major source of revenue for gangs and a major activity of their members.³¹ If given a choice, gang members would probably opt for more stable, safe and profitable employment. Gangs would then take on a different role in society. "Youth poverty has been running at over 20 percent for decades," says Craig Sautter, a professor at the School for New Learning at Chicago's DePaul University. "Gangs represent and express a frustrated rage on behalf of these young people at the poverty, neglect and racial isolation forced on gang members as children living in poverty and violence."

While the direct correlation among gangs, drugs, and violence is compli-

cated and not well understood, the evidence is overwhelming that cracking down on drug-dealing gangs leads to more violence. A review of two decades' worth of studies conducted this year by the International Centre for Science in Drug Policy, a nonprofit group based in Britain and Canada, found that when communities get tough on drug crime, it "drives up the black-market profits, prompting fierce battles to control the lucrative trade."³²

For evidence, one need look no further than Mexico, where a military crack-down on the powerful transnational drug gangs there has killed nearly 23,000 people in recent years, mainly gang members but also tourists, police officers and innocent residents.

Has the nation's gang threat been exaggerated?

In February 2009, on the eve of the release of the "2009 National Gang Threat Assessment," Kenneth Kaiser, assistant director of the FBI's Criminal Investigative Division, warned: "Gangs have long posed a threat to public safety, but as this study shows, gang activity is no longer merely a problem for urban areas. Gang members are increasingly moving to suburban America, bringing with them the potential for increased crime and violence."

What followed was typical for the release of such government reports: Dozens of local newspaper and television stories appeared about the local implications of a nationwide trend — the migration of gangs from big cities to the suburbs. Six weeks after its release, U.S. Rep. Mark Kirk, R-Ill., told an audience in the Chicago suburb of Northbrook, "We need federal backup for local law enforcement to reduce this threat to our communities."

Located less than an hour's drive north of the city along Lake Michigan, Northbrook was the setting for movies like "Ferris Bueller's Day Off" and "Ordinary People" — far from the typical gang setting. Nearly all the

residents have at least a high school diploma, the average household income is \$113,706 and only two homicides — neither gang-related — have occurred there since 1999.³³ A few weeks after Kirk's remarks in Northbrook, he asked the House to increase funding for the war on gangs, saying the country needs "to treat gangs as a national-security threat — one that isn't localized in any one community."

In the introduction to his book *The American Street Gang*, Malcolm Klein, a senior research associate at the Social Science Research Institute, writes that, "For the most part, gang members do very little — sleep, get up late, hang around, brag a lot, eat again, drink, hang around some more. It's a boring life." Maybe so, but the very whisper of gang activity can cause a panic in public officials, the local press and chamber of commerce halls nationwide.

With the vast majority of gang crimes occurring in cities, many experts contend that suburban panic about gangs is unfounded. "Gang formation and growth is always local, as in . . . block-level local. Local gangs may take on the symbols and customs of national gangs, but it is always local, says criminologist DiChiara. "Suburban gang formation . . . shows the limits of the theory that gangs are the product of deindustrialization."

Others, like gangs researcher Sudhir Venkatesh, a professor of sociology



Bureau of Alcohol, Tobacco, Firearms and Explosives

Agents from the Bureau of Alcohol, Tobacco and Firearms raid a suspected gang member's home in Greeley, Colo. Law enforcement officials want more funding to fight gangs, but social scientists and a majority of the public say programs that prevent youths from joining gangs are more effective in reducing gang violence than law enforcement.

at Columbia University, see strong evidence that gangs have moved out to the suburbs in search of new drug markets and perhaps also under pressure from neighborhood law enforcement. "It is a trend that we have noticed for years, where gangs will expand for various reasons," he says. "But their progress out of the cities is slow."

Police forces today are more cognizant of the telltale signs of gang activity. Or, they may be keen to emphasize a gang problem in order to secure extra funding. For instance, if a gang member commits a crime that isn't connected with the gang, police can list the crime as "gang-related" or "gang-connected," depending on the jurisdiction.³⁴ Moreover, in many cities, police departments can keep money seized from gangs, providing a financial incentive to classify as many crimes as possible as gang-related.³⁵

"Police departments get more funding if there's more gang activity, and that's part of the problem, because they tend to count many more people as being related to a gang. If you wear a red hat, you're in a gang. If you are standing on a street corner with a known gang member, then you're in a gang — even if that known gang member turns out to be a relative," says Natassia Walsh, a research associate focusing on gang issues for the Justice Policy Institute.

Suburban police have reported dramatic increases in the gang threat in recent years. According to the Justice Department's 2007 National Youth Gang Survey, 50 percent of suburban police departments reported youth gang activity — a 17 percent increase since the DOJ's last study in 2002. In 2007, a quarter of the country's gang members lived in the suburbs.³⁶

Kraft of GangTECC cites another example: "Gang members from a Crips set outside of Pittsburgh migrated to West Virginia, where they could more easily obtain handguns and where their crack cocaine could be sold at higher prices."

But there are also powerful incentives for a town or city to deny that a gang problem exists. Gangs have made use of social-networking sites on the Internet, which can pull youngsters into gangs without arousing the suspicion of parents or school officials. That, plus the widespread misbelief that all gang members wear explicit colors and signal each other with elaborate hand signs, is as fallacious as it is dangerous, says Venkatesh.

While the debate on the nature and relative threat of gang migration to the suburbs continues, both sides can agree that there is simply too much gang-related crime in both areas. “Like a cancer, gangs are spreading to communities across America,” FBI Director Robert Mueller warned the Los Angeles Chamber of Commerce in 2007, when the trend towards suburbanization was well under way. “Gang violence has become a part of the daily lives of teachers and taxi drivers, police officers and pastors, parents and children.”³⁷ ■

BACKGROUND

Immigrant Gangs

Western civilization’s first gangs probably began forming in urban London a century or so before more modern, formally structured organizations appeared in the early 1600s. Then, groups like the Mims, the Hectors, the Bugles and the Dead Boys “found amusement breaking windows, demolishing taverns, among other mischief,” and distinguished themselves by wearing brightly colored ribbons.³⁸

Charles Dickens was an early author to profit by writing about gang life, when he penned *Oliver Twist*, describing a band of youthful ruffians organized into a pickpocketing ring. (See sidebar, p. 595.) Indeed, the story echoes many of the familiar themes running through current debates about whether urban poverty and despair lead young boys (and a few girls) into the gang lifestyle.

The history of New York City provides a rich chronicle of American gang trends and illustrates broad patterns that defined early American street gangs. Indeed, the city was home to the first U.S. gang, the aptly named Forty

Thieves. They appeared in Lower Manhattan around 1825, running and robbing in the same East Side streets and tenements that would play home to the ill-fated Tony and Maria in “West Side Story” more than a century later.

The Forty Thieves was considered the first modern street gang because it had a defined hierarchy and was able to maintain continuity and traditions over many years. First established as an organization of bouncers, laborers, longshoremen, butchers, carpenters and the like, the Forty Thieves “engaged in violence, but violence was a normal part of their always-contested environment; turf warfare was a condition of the neighborhood,” writes New York historian Luc Sante.³⁹

In the turbulent periods of immigration leading up to the turn of the 19th century, gangs were a staple of life in New York. Like their savage portrayal in the 2002 film “Gangs of New York,” they also played important civic, social and political roles in immigrant communities. Their influence began to wane only after a strong municipal government and a more professional police force were established.

Journalist and photographer Jacob Riis wrote extensively about the dreadful conditions of the city’s poor and the gangs that formed in their communities. With immigrants streaming into the city in droves and the housing department unable to meet demand, competition for scarce resources fueled widespread urban violence. Describing street gangs themselves as a symptom of larger social inequity, he wrote in 1899 that “the gang, rightly understood, is our ally, not our enemy. Like any ailment of the body, it is a friend come to tell us of something that has gone amiss. The thing for us to do is to find out what it is and set it right.”⁴⁰

After the Forty Thieves, Polish, Italian and German immigrants dominated the urban street gang scene along

the East Coast. Most famously, this included the Cosa Nostra, or the Italian Mafia, but there were other, less well-known but equally violent groups, including the Jewish Monk Eastman gang, various Chinese gangs known as Tongs and the Chichesters, who were bold enough to produce a take-out style menu for its services: punching (\$2), broken jaw or nose (\$10), shot in the leg (\$25), while “doing the big job” cost \$100 or more.⁴¹

Periods of massive immigration fueled conflicts between countless gang factions in many of the country’s major cities. One of New York City’s most famous second-generation gangs was the Five Points gang, whose leader Johnny Torrio would eventually become a senior member of the Mafia. Torrio recruited a Brooklyn hoodlum named Al Capone into the Five Points gang and later into the Mafia. When Capone, then describing himself as a “used furniture dealer,” needed to avoid police attention in New York, Torrio sent him to head up his gang’s branch in Chicago, where he became arguably the most famous gangster in U.S. history.⁴²

By the time “West Side Story” opened on Broadway in 1957 — with its story about rival white and Puerto Rican teenage gangs — New York gangs were considered a thing of the past. The city’s police force was professional, social services were more extensive and large-scale immigration through Ellis Island was long over. But a new domestic migration that began in the 1930s would soon define gang life in inner cities for decades: the migration of Southern blacks to Northern cities, a move fueled by a combination of desegregation rulings, better job opportunities and the legacies of slavery and discrimination that pushed blacks out of the South.

Many early inner-city black gangs formed in response to white gangs established to resist the integration of

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Chronology

1800s-1940s

As immigration increases, race and ethnicity become major factors in gang formation.

1820

Massive wave of immigration fuels birth of violent gangs on New York City's Lower East Side, elsewhere.

1860

Chinese gangs on East and West coasts dominate opium trade.

1914

Last major open gang battle occurs in New York City; Mafia begins taking control in major cities.

1919

Race riots in Chicago mark rise of black street gangs formed to defend against white gangs.

1929

Prohibition becomes big money-maker for bootlegging gangs and Mafia.

1943

Latino gang members and military personnel square off in Zoot Suit Riots in Los Angeles.

1948

Hells Angels motorcycle club forms in California.

1950s-1970s

New era in gang violence is fueled by continuing black migration to Northern cities and new wave of immigration.

1957

Hit Broadway play "West Side Story" dramatizes real-life struggle between white and Puerto Rican street gangs.

1964

White inmates at California's San Quentin prison form Aryan Brotherhood gang.

1970

Racketeer Influenced and Corrupt Organizations (RICO) Act allows federal prosecutors to more easily target gangs and organized crime.

1971

Crips gang forms in Los Angeles.

1980s-1990s

Civil wars throughout Central America lead immigrants in Los Angeles to form the violent Mara Salvatrucha, or MS-13, street gang.

1981

"Crack" cocaine ignites decade of violent, drug-fueled gang crime in United States. . . . Stiffer sentencing laws boost prison population, supply new recruits for prison gangs.

1988

"Straight Outta Compton" by the hip hop group N.W.A. is first big "gangsta rap" album.

1991

Nation's violent-crime rate peaks before beginning a steady decline that largely continues today, but gang violence continues unabated. . . . Homicide becomes leading cause of death for black men.

1993

United Blood Nation gang forms at New York City's Rikers Island jail.

1994

California's Prop. 184 — the "three strikes" law — mandates life imprisonment after a person's third felony conviction.

1995

Number of gang homicides in Los Angeles hits a record 809.

2000s *Increases in the nation's prison population intensify gang problems both in prisons and in urban communities, where released inmates often join or rejoin street gangs.*

2005

Congress establishes National Gang Intelligence Center to integrate federal, state and local gang-fighting initiatives.

2006

National Gang Targeting, Enforcement & Coordination Center (GangTECC) begins operation, with the goal of coordinating federal, state, and local anti-gang efforts.

May 2009

Following the shooting death of a sheriff's deputy, 1,400 officers crack down on the Varrio Hawaiian Gardens gang in Los Angeles, in the largest gang bust in U.S. history. . . . Federal study puts number of U.S. gang members at 1 million. . . . Justice Department's "2010 Drug Threat Assessment" says Mexican drug cartels formed numerous new alliances in 2009 with violent American street and prison gangs. . . . Government Accountability Office says both the National Gang Intelligence Center and GangTECC are not effectively collaborating on anti-gang efforts and are not sharing gang-related information.

2010

Former gang member launches LA Gang Tours through South Central and other notorious gang neighborhoods. . . . Justice Department plans to reorganize national anti-gang effort, possibly by August.

Most Ex-offenders End Up Back in Prison

Two-thirds commit a serious crime within three years.

With more than 1.5 million people in prison in the United States for serious crimes, and hundreds of thousands more in jail for lesser offenses, the nation with the world's largest prison population is now facing an unprecedented challenge: the eventual release of nearly all those inmates to their home communities — including gang members — who each will have spent an average of three years behind bars.¹

In 2007, the last year for which comprehensive data has been published, more than 725,000 inmates were released, the largest inmate exodus in history.² And in the past two years, major budget gaps have forced more than a dozen states — including California, Kentucky, New York and Virginia — to consider releasing yet more prisoners to cut costs. In 2009, the population of state prisons declined for the first time in 38 years, according to the Pew Center on the States.³

“There’s more movement from states, where prison costs are cutting into higher-education budgets, to reform their prison systems and release more people,” says Marc Mauer, executive director of the Sentencing Project, a prison reform organization. But the important question, he says, is whether enough is being done at the state and local level to prevent them from returning to gangs.

Most inmates are soon back behind bars. In a study of more than 270,000 former inmates — the largest such study ever conducted — nearly 68 percent committed a serious crime within three years of release, according to the federal Bureau of Justice Statistics. Even more troubling, released offenders with gang connections end up back in jail even faster.⁴

Ex-cons face a tough time on the outside, even in the best of economic times. Depending on the state, they are prohibited from holding jobs in industries ranging from child care to embalming. Even the recruit-strapped military won’t accept them. This year’s biggest hirer, the U.S. Census, doesn’t hire ex-offenders.

With unemployment close to 10 percent, and underemployment high, ex-cons are more vulnerable than ever.⁵

Unable (or unwilling) to find work, ex-cons can easily fall back into the gang life, a trend that is true even for older prisoners.⁶ Meanwhile, drug treatment and job-training programs, which have proven effective in preventing ex-cons from re-offending, have been cut back or eliminated because of state budget cuts nationwide.⁷

In the country’s overcrowded prison system, gangs form largely for inmate protection. They’ve become so powerful that they can control gang activity on the outside and even network with international cartels. While many inmates belonged to a gang before they ended up in prison, those who arrive without a gang affiliation often join one. Interestingly, says gang researcher Alfonso Valdez, an adjunct professor of sociology at the University of California, Irvine, prison can have some calming effects on inter-gang tensions: Rival gang members will often find themselves in the same prison gang, based on their race or ethnicity.

“Unfortunately,” he writes “the prison system is where many street gang members learn the secrets of becoming professional criminals.”⁸

— Alex Kingsbury



Getty Images/Justin Sullivan

Most of the nation’s 1.5 million inmates eventually will be released. Above, inmates at California’s crowded Mile Creek prison.

¹ Beth Huebner, Sean Varano and Timothy Bynum, “Gangs, Guns, and Drugs: Recidivism Among Serious, Young Offenders,” *Criminology & Public Policy*, vol. 6, no. 2, May 2007, pp. 187-221.

² Bureau of Justice Statistics, <http://bjs.ojp.usdoj.gov/content/data/p07t03.csv>.

³ David Krory, “State prison population drops for 1st time since 1972; report suggests budget woes responsible,” *The Associated Press*, March 16, 2010.

⁴ “Recidivism of Young Offenders,” National Crime Prevention Council, www.npc.org/resources/files/pdf/prisons/recidivism-of-young-offenders.pdf.

⁵ Nathan Koppel and Mark Whitehouse, “More Ex-Cons on the Streets, Fewer Jobs,” *The Wall Street Journal*, March 20, 2010.

⁶ Marilyn McShane, Frank Williams III and Michael Dolny, “Effect of Gang Membership on Parole Outcome,” *Journal of Gang Research*, vol. 10, no. 4, summer 2003, pp. 25-38. Police also use private-sector employment as an incentive to pull kids out of gangs, a tactic made more difficult in a recession.

⁷ “One in 31,” Pew Center on the States, March 2, 2009.

⁸ Alfonso Valdez, “Prison Gangs 101,” *Corrections Today*, February 2009.

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city neighborhoods. They also served as protective organizations within their own underserved neighborhoods.⁴³

In the decade following the end of World War II, waves of immigrants streamed into New York City from Puerto Rico in search of economic

advancement. By the 1960s, more than two-thirds of the street gangs in New York were Puerto Rican or black, according to historians. By 1990, His-

panics had replaced blacks as the largest minority group in the city — and the most dominant gang presence as well.

'Gang Incubators'

The evolution of gangs in Chicago closely echoed New York's experience. White immigrant gangs, mainly Irish, dominated the streets through Prohibition and Al Capone's reign. Blacks and Mexicans moving north fueled a second period of growth from the 1930s until the 1950s, in what came to be called "the Great Migration." Like many of their 18th-century predecessors, several Chicago-based gangs, including the Latin Kings, Black P Stone Nation and the Gangster Disciples, were founded to promote social and political reform in the 1960s.

Some social scientists said urban problems in the early 1960s were exacerbated by poorly designed public housing in cities from Western Europe to the United States. Quickly built and cheaply made, they came to symbolize many of the ills associated with urban decay.⁴⁴ In Chicago, city officials built 51 public housing projects within existing black ghetto areas. The "projects," as they became known, became dirty, crime-ridden "gang incubators."⁴⁵

The construction of housing projects in Chicago, Detroit, New York, Boston and many other large cities became inextricably linked with the social, political and — most important — racial unrest that dominated the 1960s. While

some social groups seeking empowerment of the urban poor focused on voter enfranchisement, others sought only to protect their neighborhoods. For instance, a New York Puerto Rican gang — the Spartican Army — in 1967 famously campaigned in the pages of *Life* magazine for a greater say in running their Lower East Side neighborhood. The Blackstone Rangers in Chicago followed suit, doing antipoverty work in the city's South Side. After a government grant of nearly \$1 million to the Rangers to do antipoverty work in the Woodlawn neighborhood of Chicago turned into a boondoggle and national embarrassment, the era of the civic-minded gang, at least in the public's mind, had ended.

As housing projects proliferated, so did the resident gangs, soon forming "super gangs" with more than 1,000

gangs in the late 1980s, they were able to either absorb smaller, rival gangs or force them to disband entirely.⁴⁷

Crack Epidemic

No other substance changed gang life — and perhaps urban life itself — in the modern United States as much as crack cocaine. Created in the wake of a glut of pure cocaine flowing into U.S. markets in the early 1980s, crack was cheaper than its powered cousin and offered gangs lucrative sales opportunities, provided they could protect their turf from rival gangs. It was also highly addictive. Crack — and the rampant violence and urban decay that followed — ravaged urban centers, turning them into virtual no-go areas for outsiders.

Crack also gave the country a new phenomenon: the drive-by shooting. Between 1984 and 1994, the homicide rate for young black males, ages 14 to 17, jumped more than 100 percent, and the homicide rate for black males 18 to 24 increased by nearly the same amount. Researchers Steven Levitt and Kevin Murphy at the University of Chicago, who studied the impact of the drug on urban communities, found that the black community during this period "also experienced an increase in fetal death rates, low birth-weight

babies, weapons arrests and the number of children in foster care."⁴⁸

Controversially, Levitt and Murphy also found that most social ills resulting from the crack epidemic were caused by drug gangs fighting for territory and killing each other, not from



The 2002 film "Gangs of New York" portrayed the nation's widespread gang violence at the turn of the 19th century and also the important civic, social and political roles gangs played in immigrant communities.

members, according to a study by the Chicago Crime Commission.⁴⁶ By the 1970s super gangs had become better organized and regional in reach, inching out into the suburbs. When drug profits, especially from crack cocaine, began to empower these large



Getty Images/Scott Olson (both)

Gang Mayhem

The level of violent crime nationwide is at or near historic lows, but in many American cities — notably Chicago — deadly violence remains a daily reality. During a single weekend in June, 52 people were shot in the city, mostly as a result of gang violence. On June 21, friends and family mourn two teenage boys murdered on the South Side (top). At Chicago's Fenger High School, slain 16-year-old honor student Derrion Albert is remembered (bottom). He was beaten to death by three other teenagers, who are charged with murder.

the ill effects of the drug, as lawmakers had long claimed. “The consumption effects of crack weren’t that bad in comparison to the violence,” they wrote.

The crack wave supercharged the nation’s street gangs, even as it drove urban residents into the suburbs to avoid the chaos. At the height of the crack binge in the late 1980s, just four of the dozens of major gangs in Chicago had a combined membership of more than 19,000. By 1990, those four gangs alone were responsible for 70 percent of the Windy City’s gang crimes and half of its gang-motivated slayings.⁴⁹ By 1991, the city’s annual homicide count peaked at 609 deaths. Six years later, the FBI estimated that Chicago was home to an estimated 50,000 gang members, the population of a small city.

Getting Tough

Federal and state governments got tough on drug- and gang-related violence with the quickest and most effective short-term strategy they could devise: locking up gang members. California, among other states, passed so-called “three strikes laws,” which mandated life in prison after three felony convictions. Mandatory minimum sentences also put more and more offenders behind bars and helped accelerate the growth of prison gangs.⁵⁰

The get-tough policing of drugs and gangs sparked a staggering increase in the prison population. When mandatory minimum sentences were introduced in the early 1980s, the nation’s prison population hovered at around 400,000. Today, it is more than 1.6 million.⁵¹ All told, more than 7.3 million Americans are behind bars, on parole or on probation, according to the Justice Department. Although the federal numbers are sobering, there is considerable variation at the state level. In Texas, for instance, the rate of incarceration is 1,000 inmates per 100,000 population, while in Maine it is only 300 per 100,000. The

Gang Mystique Fuels Profits — and Outrage

Stores are criticized for selling 'gangsta' merchandise.

Americans have always subscribed to what one movie critic, shellacking the Johnny Depp film “Public Enemies” about gangster John Dillinger, called a “hyper-romanticized revisionist history, reflecting America’s ongoing love affair with gangsters.”¹ And feeding the country’s obsession with both law enforcement and law breakers is highly profitable.

While no one has good statistics on the size of what could be called the “gang culture” market, anecdotal evidence is ample. For instance, L.A. Gang Tours offers this compelling pitch to potential customers: “A true first-hand encounter of the history and origin of high-profile gang areas and the top crime-scene locations in South Central.”

Stops on the two-hour tour include the command center used by the National Guard during the Watts riots, the birthplace of the Los Angeles Chapter of the Black Panthers and a visit to a shop selling graffiti paraphernalia. The tours, which began this year, cost \$65 (including lunch).² Run by former gang members, it’s reminiscent of similar tours that guide tourists around the gangland hotspots of Rio de Janeiro, Brazil, and Soweto, South Africa.³ Alex Alonso, an L.A. gang expert who operates streetgangs.com, says the tour may border on being exploitative, but it at least shows people parts of the city that have too long been ignored and demonized by the outside world.

“It has its uses,” he says.

In New York City, so many clothing stores were selling gang-related merchandise in 2008 that the City Council investigated

what council member Leroy G. Comrie called the practice of “exploiting a culture of violence and death. It’s no wonder street gangs are on the rise,” he told reporters. “We live in a culture that blatantly glorifies street gangs in the name of profit.”

Marketing gang merchandise also can be treacherous for a company’s public image. Cities from New York to St. Louis to San Jose have begun cracking down on retailers who sell blatantly gang-related merchandise. In 2007, after lawmakers and activists in Harlem protested, the New Era Cap Co. agreed to stop selling baseball hats featuring the colors of such infamous gangs as the Bloods, Crips and Latin Kings.⁴

Gangsta rap is still a multibillion-dollar industry despite declines in the profitability of the music industry overall. And the edgy genre has gone distinctly mainstream: Rap songs appear frequently on television commercials and top-40 music lists. Perhaps the most illustrative case of gang life going mainstream is self-described gangsta rapper Ice-T, whose infamous 1992 rap hit “Cop Killer” was lambasted by both critics and police officers for glorifying the killing of police officers. Ice-T now plays a cop himself on the television series “Law & Order: Special Victims Unit.”

— Alex Kingsbury



Getty Images/Andrew H. Walker

Gangsta rapper Ice-T, who once glorified the killing of police officers, now plays a cop himself on the TV series “Law and Order.”

¹ Kam Williams, “Public Enemies,” *South Florida Sun Sentinel*, July 9, 2009, p. B7.

² See L.A. Gang Tours, www.lagangtours.com.

³ Randal Archibold, “Los Angeles Journal; A Gangland Bus Tour, With Lunch and a Waiver,” *The New York Times*, Jan. 15, 2010.

⁴ Richard Sandomir, “Yankee Caps Pulled After Protesters See Gang Links in Symbols and Colors,” *The New York Times*, Aug. 25, 2007.

incarceration binge also has a racial component: More than six times more blacks are behind bars than whites, despite being a far smaller percentage of the overall population.⁵²

Inside state and federal prisons, gang affiliations made on the outside are carried over, and in fact they often become even stronger. Prison gangs are highly structured organizations, much

like their counterparts on the outside. They control narcotics distribution, homosexual prostitution and gambling activities inside the prison, among other things. They also continue to influence how gangs outside the prison operate. In California, one of the largest and most powerful prison gangs is known as the Mexican Mafia, or “La Eme” (the Spanish pronunciation for

the letter “m”). Prison gangs exert considerable control over mid-level and retail-level drug distribution in the Southwest and California.⁵³

Perversely, prison gangs are so effective precisely because the gang members continue to be locked up. “La Eme uses fear and intimidation to control Hispanic street gangs, whose members are in prison and on the street in

California. Such control gives La Eme command of more than 50,000 to 75,000” gang members and affiliates, the FBI recently concluded.⁵⁴ And just like some of their sentences, according to the gang’s rules, members are in a gang for life, even after their release.⁵⁵ ■

CURRENT SITUATION

Federal Disarray

Gangsta rap tops the charts on Top 40 radio. The History Channel’s “Gangland” series chronicles the culture and infamous acts of the nation’s best-known gangs, albeit from a law enforcement perspective. And urban stores sell gang-themed clothes manufactured by major clothing companies. (See sidebar, p. 595.)

Gang culture has gone mainstream, but the law enforcement community considers gangs a major threat. This spring Attorney Gen. Eric Holder announced that gangs would again be a major national law enforcement priority, both in practice and in resource allocation next year. Coordinating the efforts of federal, state and local resources, he says is critical. “We need to make sure we don’t stay stuck in silos and old ways of thinking.”

Indeed, federal efforts to combat gangs are in disarray and firmly stuck in the old ways of thinking, according to government investigators. The latest estimate places the number of gang members inside the United States at approximately 1 million — or about one in every 100 males between ages 15 and 65.⁵⁶ Most gangs are local, neighborhood street gangs, although an increasing number are connected in some way to larger, more powerful regional or national

gangs, with varying levels of organization and centralized control.

The ongoing violence associated with Mexican drug gangs has focused many eyes on the growing problem of well-organized international drug syndicates, but drawing the connection between the thousands of deaths in Mexico and gang slayings on the streets of Chicago is often difficult. But they are closely related. The Justice Department’s latest Drug Threat Assessment concluded that Mexican drug cartels had formed more alliances in 2009 with violent American street and prison gangs to better leverage U.S. drug markets, a development that makes cracking down on them even more challenging for state and local cops.

Even the most rudimentary street gangs are a problem for communities because of their collective strength. They can control territory, compelling local youths to join, sometimes against their will; they commit a variety of crimes, including homicides, extortion and violent assaults; and they frustrate basic police work by intimidating witnesses through threats and violence.

While overall levels of violent crime are at historic lows, gang-related violence is getting worse. Gangs are getting younger, moving from urban centers to the suburbs and turning to new technologies such as social-networking sites to expand their reach from their local neighborhoods, according to gang experts.

“They are a fluid threat that requires a sustained effort from everyone involved, from federal agencies to local cops and social workers trying to stop kids from joining up,” says the ATF’s Chait.

While state and local authorities have the primary responsibility for handling gang members, the federal government also has an important role, particularly in prosecuting the most violent and well-organized gangs, often using the federal racketeering law known as

RICO. It’s a complicated response to orchestrate, spanning many federal agencies, often with competing missions and cultures. There are no federal anti-gang laws per se, but there are numerous federal laws covering weapons and narcotics that federal prosecutors use against gang members. Sometimes, local police will request federal agents to assist them with their local gang problem. In other cases, federal agents will target national-level gang leaders wherever they are.

Although state and local law enforcement agencies vary widely in their ability to deal with the gang problem, at the federal level much of the coordinated response is seen as in disarray. A recent Justice Department inspector general’s report found that the offices established to oversee and coordinate federal efforts — like the FBI, DEA and ATF — “still have not made a significant impact on the department’s anti-gang activities.”⁵⁷

In 2006, then-Attorney Gen. Gonzales announced that the Justice Department had taken several steps to address gang violence, including establishing two centers to collect and coordinate federal anti-gang efforts. In much the same way that the intelligence community was reorganized after the terrorist attacks of 9/11, the department centralized and tried to coordinate its own, often scattershot response to the country’s gang problem.

Located in an undisclosed office block just across the Potomac River from the nation’s capital, two units were established in 2007 to orchestrate the war on gangs and stop different law enforcement agencies from getting in each others’ way. The National Gang Intelligence Center (NGIC), primarily run by the FBI, is designed to share gang-related intelligence with law enforcement agencies large and small, while the National Gang Targeting, Enforcement and Coordination

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At Issue:

Is too much responsibility for fighting violent crime being shifted to the federal government?



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FROM A STATEMENT BEFORE THE SENATE JUDICIARY COMMITTEE, MARCH 3, 2010

While the goal of reducing crime is admirable, Congress' penchant for subsidizing the routine activities of state and local law enforcement continues the federal government's march toward fiscal insolvency. In fiscal year 2009, Congress appropriated almost \$6 billion in state and local law enforcement assistance grants, including almost \$1.6 billion for the Community Oriented Policing Services (COPS). Nearly all of this funding is dedicated to activities outside the scope, expertise and responsibility of the federal government.

The passage of the 1994 Crime Act marked a troubling milestone in the history of federal assistance for state and local law enforcement. Previously, federal assistance focused on helping state and local governments test innovative ideas, such as providing funding for demonstration programs. The 1994 Crime Act shifted federal assistance away from testing innovative ideas and towards subsidizing the routine operations of state and local law enforcement. Unfortunately, COPS and similar Department of Justice grant programs encourage state and local officials to shift accountability for local crime toward the federal government when they fail to devote adequate resources to fighting crime. This shift in responsibility is problematic because under our system of constitutional federalism almost all ordinary street crime is the primary responsibility of state and local government.

Law enforcement agencies should not view themselves as isolated entities tasked with combating crime. Through the building of partnerships to more effectively leverage assets, law enforcement officials can develop innovative strategies that have greater potential for reducing crime.

But state governments should not, for example, rely on the federal government to provide stiff sanctions for violent crimes. In fact, such a strategy may backfire. Relying on federal sentencing laws allows state governments to abdicate their primary responsibility for providing public safety. . . .

With the national debt expected to reach 67 percent of GDP by the end of fiscal year 2010, the federal government can no longer afford to subsidize the routine activities of state and local law enforcement. The federal government has contributed to identifying what works in law enforcement. However, under America's system of constitutional federalism, innovative and effective state and local law enforcement should never be made dependent on the federal government.



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FROM A STATEMENT BEFORE THE SENATE JUDICIARY COMMITTEE, MARCH 3, 2010

in today's police environment, law enforcement professionals have an ongoing responsibility to identify strategies that are both efficient and effective in addressing crime and disorder within the communities we serve. As an agency, the Charlotte-Mecklenburg Police Department has made it one of our highest priorities to maximize various relationships in order to enhance our capabilities and use of resources for crime fighting.

In particular, when focusing upon violent crimes and the offenders responsible for committing these crimes, our agency and the community as a whole, receive great benefits when we formally organize our federal, state and local partners to share in that responsibility.

Sharing investigative, intelligence and analytical resources, each agency played a vital role. For example, the FBI, under their Safe Streets initiative, was responsible for identifying the most prolific gangs while the ATF, under their Violent Crime Interdiction Teams (VCIT), addressed the top two violent crime neighborhoods and DEA, under their Drug Task Force, focused on the major open-air drug area. Other agencies' resources and expertise were also utilized. The U.S. Marshals focused on current fugitives, the Probation Department focused on conducting home visits with probationers . . . the U. S. Attorney's office monitored and prosecuted firearm, drug and conspiracy cases involving gangs. . . .

One particular element of the partnership of note was our implementation of a "Call In" program. Under this program, we identified and called in approximately 20 offenders currently on probation who would be summoned into federal court before a federal judge.

In the presence of the heads of the partnering agencies, including the FBI, DEA, ATF . . . , the Sheriff, and the Director of Probation, it was made clear to offenders that we, as a group, were watching them and their associates very closely to determine the level of criminal activity they may be involved in. Further, they were told we were using our combined resources to investigate and prosecute all of their crimes.

Ultimately, our partnership and collaborative efforts show us the value of a comprehensive violence-reduction strategy, where the more we do to work together in addressing common priorities, the more likely we are to be successful in achieving our overarching mission to reduce crime and improve quality of life in our communities.

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Center (GangTECC) is supposed to coordinate federal resources to better synchronize enforcement efforts.⁵⁸ Not only are the centers not following through on their missions, but the Justice Department hasn't even assigned a U.S. Attorney, as required, to work on the effort.

But after three years of work and the expenditure of millions of dollars, a recent inspector general's review found that the two centers are under-resourced, ineffective and, perhaps worst of all, uncoordinated. "After almost three years of operation . . . despite being located in the same office suite, both NGIC and GangTECC are not effectively collaborating and are not sharing gang-related information."⁵⁹ GangTECC analysts were so poorly organized, the inspector general found, that they didn't even have the ability to e-mail documents to each other or store information on a shared computer drive.⁶⁰

Not only had the NGIC not built a database of gang information, one of the main reasons for its establishment, but its existing resources, including a library of gang information, was rarely used. In its three years of operation the NGIC received only 213 requests for information, mainly from either the FBI, which runs NGIC, or GangTECC.⁶¹

Based on the report's conclusions, the Justice Department is planning to reorganize the national gang effort in the coming weeks — perhaps as early as

August. Meanwhile, Justice Department officials have assured Congress that they are working quickly towards a universally accepted definition of a "gang."

State Databases

Meanwhile, states aren't waiting for the feds to act. More than a dozen have already passed legislation to create statewide databases of gang members or gang activity. The data-

how they become de-listed, while defense attorneys are concerned that, if used in court testimony, such a listing could hurt their clients. Criminal-justice reform advocates worry that databases can often do more harm than good.

"Since the federal government can't even agree on the definition of what a gang is, putting names into a police database saying that someone is affiliated with a gang is a bad idea for both the police and the suspects," says Walsh, at the Justice Policy Institute.

Databases only work if states can agree on what constitutes "gang activity." Just 22 states have managed to formally define gang crime, according to the Bureau of Justice Assistance's Gang Center. In Maryland, lawmakers looking to strengthen the state's anti-gang laws heard testimony this spring from Baltimore State's Attorney Patricia Jessamy that an anti-gang law passed two years ago isn't working, largely because it fails to define "gang member," doesn't include enough gang-related crimes and carries no mandatory prison time.

"The statute is very hard to use because of its ambiguous language," she told lawmakers. "We find ourselves defending the law more than using it."

While legislatures in states like Utah, Minnesota and Maryland work to launch their own gang databases, others are finding that databases aren't always a silver bullet. This summer, after 18 months in operation and \$1.2 million spent on a Massachusetts gang information database, it was learned that it contained no entries because local departments lacked the staff to enter them into the computer system.⁶² In 2003, a review of the



Attorney General Eric Holder, Los Angeles Mayor Antonio Villaraigosa, right, and Police Chief William Bratton, left, meet in July 2009 with Los Angeles residents participating in the city's Summer Night Lights anti-gang program. Holder recently called gun, gang and drug-related violence the country's "most overwhelming and intractable challenges."

Getty Images/David McNew

bases document information such as tattoos, graffiti, weapons, member affiliations, hand signs, clothing and a variety of other things gangs use to distinguish themselves. In part, it is a response to the problem that departments face when officers shift in and out of specialized gang units, and their collective wisdom is lost.

Statewide databases are controversial. Some law enforcement officials support the efforts, while other jurisdictions have refused to participate, citing an onerous time burden on already short-staffed departments. Civil libertarians worry about who is listed and

Virginia gangs database found that only 31 people had been entered into the system since it was created in 1997, although state law required officers to enter the names of gang members they arrested.⁶³

There have also been several examples of data being erroneously entered into various gang databases around the country, and in one particularly egregious instance, a police detective in New York was charged with illegally accessing a gang database at the behest of the leader of a local motorcycle gang. The information was relayed to a rival gang during a period of tension between the two gangs.⁶⁴

While gang databases remain controversial and of somewhat mixed utility, targeted databases of firearms have proven invaluable in combating and prosecuting gang crimes. The number of queries to the national firearms tracking database — many of which are made by state and local law enforcement officers and prosecutors seeking to identify the origins of guns used in crimes — has skyrocketed. In 1999, there were approximately 200,000 trace requests. A decade later, that number had jumped to more than 340,000. (*See graph, p. 588.*) ■

OUTLOOK

Worsening Violence?

Most Americans agree that it's preferable to keep youths out of gang life than to deal with them as gang members and criminals. And a majority of the public, 78 percent, agree that prevention is more effective in reducing gang violence than law enforcement. Moreover, the public thinks the economic downturn is causing much of the current gang violence.⁶⁵

But the reality is that prevention programs, to paraphrase the old truism, are bought by the ounce, while cures like incarceration and aggressive policing are bought by the pound. "I don't think we'll have a firm handle on the violence problem — and that's what we should call it rather than a gang problem — until social services get the same focus as policing. We need to stop spending money on gang task forces and start spending money on counseling and job training," says the Justice Policy Institute's Walsh.

GangTecc's Kraft says that varying causes come with varying solutions: "No single initiative, no single investigative technique, no single statute and no single preventative measure will always be the most effective. Just as the underlying causes of gangs are different, the approaches to preventing, deterring and dismantling gangs must also vary."

Indeed, unless systemic problems are addressed, the gang problem could get much worse. "If we continue to ignore the socioeconomic conditions — poverty, cultural isolation, unemployment — that plague certain communities," says gangs researcher and author Stawitz, "then in 10 years American street gangs could rival the violence and ferocity drug cartels have demonstrated recently on the Mexican border."

In Chicago, where gang violence seems poised to continue throughout the hot summer, Sautter at DePaul University says only systemic changes to society will solve the gang problem.

"The only long-term strategy is to provide a different alternative to youth in the distressed areas. That is far from an easy solution and not likely to happen with budget crises," he says. First, "we need diplomacy to talk the gangs into some kind of ceasefire."

Crime researcher DiChiara agrees on the need to solve broad, systemic problems but cautions against seeking solutions by engaging with gang lead-

ers. "Managing crime by engaging intellectually with the leadership of the crime group . . . invites corruption and special treatment," he says.

The ATF's Chait isn't worried about his agents' ability to continue bringing down bad guys. He says technology, such as firearms-tracing databases and the like, will enable police to have a better picture of the changing gang threat and help them keep violence low. "We're taking note of the fact that gang members are getting younger and being recruited into gang life earlier in school. That's certainly going to be an area of concern in the future," he says.

Indeed, argues gang researcher Venkatesh, law enforcement may be nimble in its capacity to respond to the changing gang threat, but a coordinated response will prove as difficult in the future as it is now. "I'm more confident in law enforcement's ability to adapt to the gang threat than I am confident in policymakers' ability to allocate resources. Perhaps that's because crime statistics make them more accountable," he says. "Once law enforcement comes in and removes some of the most violent and dangerous gang members, social services needs to step in and fill the vacuum. That's not happening."

Alex Alonso, an expert on Los Angeles gangs who runs streetgangs.com, says the persistent failure to fund prevention efforts indicates that support for sustained anti-gang efforts may fall to private organizations. "Unless the federal government mandates that police departments spend a greater percentage of their budgets on prevention programs and social-service work, which is not their mission, the only reliable support that those efforts are going to get is going to be from private-sector groups," he says.

While appropriations bills allocating money to the Department of Justice routinely sail through Congress, social-service legislation is far more difficult

to get passed. The Youth Promise Act, introduced by a bipartisan group of hundreds of cosponsoring lawmakers last year, calls for direct federal funding towards gang prevention and early juvenile intervention programs with proven results. It also seeks to focus special attention on the need for comprehensive gang inoculation efforts, particularly in high-crime neighborhoods, and expand juvenile witness-protection initiatives critical in gang prosecutions.

Despite a public information campaign to generate support for the bill from celebrities like media mogul Russell Simmons, NFL Hall of Famer Jim Brown and actress Robin Wright Penn, the bill is currently stalled in both the House and Senate. ■

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About the Author

Alex Kingsbury writes about national security and the intelligence community for *U.S. News & World Report*. He made several trips to Iraq in 2007 and 2008 to cover the Iraq War, and also has written about steroids in baseball, campaign finance reform and education reform. He holds a B.A. in history from George Washington University and a B.S. in Journalism from Columbia University.

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FOR MORE INFORMATION

Center for Crime Prevention and Control, John Jay College of Criminal Justice, 889 10th Ave., Room 437T, New York, NY 10019; (212) 484-1323; www.jjay.cuny.edu/ccpc/. Works to assess the effectiveness of — and develop new strategies for — crime reduction, with a focus on ending gang violence.

Center for Violence Research and Prevention, Institute of Behavioral Science, University of Colorado at Boulder, 1877 Broadway, Suite 601, Boulder, CO 80302; (303) 492-1032; www.colorado.edu/cspv/contactus/index.html. Tracks violence prevention research, frequently focusing on gang and gang-related areas of study.

Coalition for Juvenile Justice, 1710 Rhode Island Ave., N.W., 10th Floor, Washington, DC 20036; (202) 467-0864; www.juvjustice.org/about.html. National non-profit association studying and advocating for best practices in law enforcement centered on juveniles.

Gang Resistance Education And Training, Institute for Intergovernmental Research, P.O. Box 12729, Tallahassee, FL 32317; (800) 726-7070; www.great-online.org. School-based, police officer-sanctioned classroom curriculum designed to inoculate young people against the lure of membership in violent gangs.

The Homicide Report; projects.latimes.com/homicide/blog/page/1/. Award-winning *Los Angeles Times* blog chronicling every reported homicide in the city — often including maps, police tip lines and other useful facts.

National Gang Center, Institute for Intergovernmental Research, P.O. Box 12729, Tallahassee, FL 32317; (850) 385-0600; www.nationalgangcenter.gov. A coalition of gang resources coordinated through the U.S. Department of Justice, serving as a nationwide resource for gang information.

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