

JUSTICE POLICY INSTITUTE

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TESTIMONY

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Hearing on Gang Crime Prevention

Good afternoon. I want to thank the Chair, Congressman Scott, and the members of the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security for the opportunity to testify on this important issue. My name is Kevin Pranis, and I am here today representing The Justice Policy Institute – a criminal justice think-tank based here in the District of Columbia.

I have spent more than a decade working on criminal justice issues: as a caseworker, an educator, an advocate, and finally as a policy analyst with Justice Strategies – a nonprofit criminal justice research organization. During that time, I have authored or co-authored research reports and white papers on a wide range of topics, including prisoner reentry, sentencing policy, prison privatization, rising female imprisonment rates, and the use of substance abuse treatment as an alternative to incarceration.

Two years ago, Justice Policy Institute commissioned Justice Strategies to produce an in-depth report on what is known about gangs' contribution to problems of crime and violence, as well as the efficacy of common gang control strategies. My colleague Judy Greene and I began our work with an extensive review of the social science literature on gangs and gang membership, incorporating research that examined gangs from multiple perspectives (e.g. crime control, youth development) using varied techniques (e.g. ethnography, law enforcement data, youth surveys). We also interviewed a diverse group of stakeholders, including law enforcement officials, scholars, social service providers, and former gang members. Finally, we analyzed youth survey and law enforcement data to test common assumptions about the prevalence of gang membership and the relationship between gang activity and crime rates.

The resulting report, “Gang Wars: The Failure of Enforcement Tactics and the Need for Effective Public Safety Strategies,” was released in July of this year. As the title suggests, we found that the most common assumptions about gangs and gang control lack foundation in the scientific literature. We hope that the results of our research – briefly summarized in this testimony – will provide an opportunity to pursue more fruitful approaches to reduce unacceptably high levels of violence in our communities.

GANG WARS FINDINGS

Youth crime in the United States remains near the lowest levels seen in the past three decades, yet public concern and media coverage of gang activity has skyrocketed since 2000. Fear has spread from neighborhoods with long-standing gang problems to communities with historically low levels of crime. Some policy makers have declared the arrival of a national gang “crisis”—tying gangs to terrorism and connected their formation and growth to everything from lax border enforcement to the illicit drug trade. Rising fears have prompted calls for new “tough” legislation that would raise penalties for vaguely defined gang crimes and spend hundreds of millions of dollars on gang suppression. Yet the evidence points to a different reality and suggests a more thoughtful policy response. The following are our key findings concerning gangs and gang members:

Gangs and gang members

There are fewer gang members in the United States today than there were a decade ago, and there is no evidence that gang activity is growing. It is difficult to find a law enforcement account of gang activity that does not give the impression that the problem is getting worse by the day. Yet the most recent comprehensive law enforcement estimate indicates that youth gang membership fell from 850,000 in 1996 to 760,000 in 2004 and that the proportion of jurisdictions reporting gang problems has dropped substantially. The myth of a growing gang menace has been fueled by sensational media coverage and misuse of law enforcement gang statistics, which gang experts consider unreliable for the purpose of tracking local crime trends.

There is no consistent relationship between law enforcement measures of gang activity and crime trends. One expert observes that gang membership estimates were near an all-time high at the end of the 1990s, when youth violence fell to the lowest level in decades. An analysis of gang membership and crime data from North Carolina found that most jurisdictions reporting growth in gang membership also reported falling crime rates. Dallas neighborhoods targeted for gang suppression activities reported both a *drop* in gang crime and an *increase* in violent crime during the intervention period.

Gang members account for a relatively small share of crime in most jurisdictions. There are a handful of jurisdictions such as Los Angeles and Chicago where gang members are believed to be responsible for a significant share of crime. But the available evidence indicates that gang members play a relatively small role in the national crime problem despite their propensity toward criminal activity. National estimates and local research findings suggest that gang members may be responsible for fewer than one in 10 homicides; fewer than one in 16 violent offenses; and fewer than one in 20 serious (index) crimes. Gangs themselves play an even smaller role, since much of the crime committed by gang members is self-directed and not committed for the gang's benefit.

Gangs do not dominate or drive the drug trade. National drug enforcement sources claim that gangs are “the primary retail distributors of drugs in the country.” But studies of several jurisdictions where gangs are active have concluded that gang members account for a relatively small share of drug sales and that gangs do not generally seek to control drug markets. Investigations conducted in Los Angeles and nearby cities found that gang members accounted for one in four drug sale arrests. The Los Angeles district attorney concluded that just one in seven gang members sold drugs on a monthly basis. St. Louis researchers describe gang involvement in drug sales as “poorly organized, episodic, nonmonopolistic [and] not a rationale for the gang's existence.” A member of one of San Diego's best-organized gangs explains: “The gang don't organize nothing. It's like everybody is on they own. You are not trying to do nothing with nobody unless it's with your friend. You don't put your money with gangs.”

Most gang members join when they are young and quickly outgrow their gang affiliation without the help of law enforcement or gang intervention programs. A substantial minority of youth (7 percent of whites and 12 percent of blacks and Latinos) goes through a gang phase during adolescence, but most youth quit the gang within the first year. One multistate survey found that fully *half* of eighth-graders reporting gang involvement were former members. When former gang members cite reasons why they left the gang, they commonly mention high levels of violence, and that they just grew out of it; only rarely do they cite fear of arrest or criminal penalties. Most youth who join gangs do so between the ages of 12 and 15, but the involvement of younger children in gangs is not new. Noted expert Malcolm Klein observes: “Although some writers and officials decry the 8- and 10-year-old gang member, they haven’t been in the business long enough to realize that we heard the same reports 20 and 40 years ago.”

Leaving the gang early reduces the risk of negative life outcomes, but current policies make it more difficult for gang members to quit. Gang involvement is associated with dropping out of school, teen parenthood, and unstable employment, but the risks are much smaller for those who leave the gang in a year or less. Yet little attention has been devoted to why and how youth leave gangs, and many gang control policies make the process of leaving *more* rather than *less* difficult by continuing to target former members after their gang affiliation has ended. Researchers note: “Police and school officials may not be aware of the decision of individuals to leave the gang or may not take such claims seriously, and records may not be purged of prior gang status. . . . When representatives of official agencies (e.g., police, school) identify an individual as a gang member, they are sending a powerful signal to rival gang members as well as to people in the community about the gang involvement of that person.”

The public face of the gang problem is black and brown, but whites make up the largest group of adolescent gang members. Law enforcement sources report that over 90 percent of gang members are nonwhite, but youth survey data shows that whites account for 40 percent of adolescent gang members. White gang youth closely resemble black and Latino counterparts on measures of delinquency and gang

involvement, yet they are virtually absent from most law enforcement and media accounts of the gang problem. The disparity raises troubling questions about how gang members are identified by police.

Gang enforcement

The conventional wisdom on gang enforcement is equally flawed. Media reports are full of stories about cities where crime goes up, a crackdown is launched, and crime goes down. But a review of research on the implementation of gang enforcement strategies—ranging from neighborhood-based suppression to the U.S. Justice Department Office of Juvenile Justice and Delinquency Prevention’s Comprehensive Gang Program Model—provides little reason for optimism. Findings from investigations of gang enforcement efforts in 17 jurisdictions over the past two decades yield few examples of success and many examples of failure.

The problems highlighted in the research include:

- Lack of correspondence between the problem, typically lethal and/or serious violence, and a law enforcement response that targets low-level, nonviolent misbehavior.
- Resistance on the part of key agency personnel to collaboration or implementation of the strategy as designed.
- Evidence that the intervention had no effect or a negative effect on crime and violence.
- A tendency for any reductions in crime or violence to evaporate quickly, often before the end of the intervention period.
- Poorly designed evaluations that make it impossible to draw any conclusions about the effect of an intervention.
- Failure of replication efforts to achieve results comparable to those of pilot programs.
- Severe imbalances of power and resources between law enforcement and community partners that hamper the implementation of “balanced” gang control initiatives.

Among our specific findings concerning typical gang enforcement strategies:

Police gang units are often formed for the wrong reasons and perceived as isolated and ineffectual by law enforcement colleagues. A survey of 300 large cities found that the formation of gang units was more closely associated with the availability of funding and the size of the Latino population than with the extent of local gang or crime problems. An in-depth study of four cities determined that gang units were formed in response to “political, public, and media pressure” and that “almost no one other than the gang unit officers themselves seemed to believe that gang unit suppression efforts were effective at reducing the communities’ gang problems.” Investigators found that gang officers were poorly trained and that their units became isolated from host agencies and community residents. The chief of one police department admitted that he had “little understanding of what the gang unit did or how it operated.” The authors observed that the isolation of gang units from host agencies and their tendency to form tight-knit subcultures—not entirely unlike those of gangs—may contribute to a disturbingly high incidence of corruption and other misconduct.

Heavy-handed suppression efforts can increase gang cohesion and police-community tensions, and they have a poor track record when it comes to reducing crime and violence. Suppression remains

an enormously popular response to gang activity despite concerns by gang experts that such tactics can strengthen gang cohesion and increase tension between law enforcement and community members.

Results from Department of Justice–funded interventions in three major cities yield no evidence that a flood of federal dollars and arrests had a positive impact on target neighborhoods. St. Louis evaluators found that dozens of targeted arrests and hundreds of police stops failed to yield meaningful reductions in crime in the targeted neighborhoods, even during the period of intense police activity. Dallas residents saw the incidence of “gang-related” violence fall in target areas but had little to celebrate because the overall violent crime numbers *rose* during the intervention period. Detroit evaluators reported initial reductions in gun crimes within two targeted precincts, but the apparent gains were short-lived: by the end

of the intervention period, the incidence of gun crime in target areas was at preintervention levels and trending upward.

“Balanced” gang control strategies have been plagued by replication problems and imbalances

between law enforcement and community stakeholders. Gang program models that seek to balance suppression activities with the provision of social services and supports have been piloted in Boston and Chicago with some success. But the results of attempts to replicate Operation Ceasefire and the Comprehensive Gang Program Model in other jurisdictions have been disappointing. Replications of the Ceasefire model in Los Angeles and Indianapolis produced no evidence that efforts to disseminate a deterrence message had changed the behavior of gang members. Meanwhile, replications of the Chicago model in five cities produced mixed results, with just two sites reporting reductions in participants’ violent behavior that approached statistical significance. Prevention and intervention appeared to lag far behind suppression efforts in the many sites. The Los Angeles Ceasefire evaluators concluded: “We suspect that *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” (emphasis added). A recent analysis concluded that two-thirds of resources expended on gang reduction in Los Angeles have gone to suppression activities.

African American and Latino communities bear the cost of failed gang enforcement initiatives.

Young men of color are disproportionately identified as gang members and targeted for surveillance, arrest, and incarceration, while whites—who make up a significant share of gang members—rarely show up in accounts of gang enforcement efforts. The Los Angeles district attorney’s office found that close to half of black males between the ages of 21 and 24 had been entered in the county’s gang database even though no one could credibly argue that all of these young men were current gang members.

Communities of color suffer not only from the imposition of aggressive police tactics that can resemble martial law, but also from the failure of such tactics to pacify their neighborhoods. One researcher argues

that in Chicago, for example, a cycle of police suppression and incarceration and a legacy of segregation have actually helped to *sustain* unacceptably high levels of gang violence.

New York vs. Los Angeles

The contrast between America's largest cities – New York and Los Angeles – provides a case in point. In New York City, a variety of street work and gang intervention programs were fielded decades ago during a period when gang violence was on the rise. These strategies were solidly grounded in principles of effective social work practices that fall outside the realm of law enforcement, and they seem to have helped dissuade city policy makers and police officials from embracing most of the counterproductive gang suppression tactics adopted elsewhere. No seasoned New Yorker would deny the existence of street gangs. But gang-related offenses represent just a tiny blip on the New York crime screen. Gang experts conclude that the city's serious problem with street gang violence had largely faded away by the end of the 1980s. Youth violence remains a problem in some New York City neighborhoods, but with crime falling to historic lows, the city's approach to gangs and youth crime seems to be remarkably effective.

Compare New York to Los Angeles, where gang violence is epidemic. City and state officials have spent billions of dollars on policing and surveillance, on development of databases containing the names of tens of thousands of alleged gang members, and on long prison sentences for gang members. Spending on gang enforcement has far outpaced spending on prevention programs or on improved conditions in communities where gang violence takes a heavy toll. Los Angeles taxpayers have not seen a return on their massive investments over the past quarter century: law enforcement agencies report that there are now six times as many gangs and at least double the number of gang members in the region. In the undisputed gang capital of the world, more police, more prisons, and more punitive measures haven't stopped the cycle of gang violence. Los Angeles is losing the war on gangs.

The contrast can be seen clearly in the crime statistics: The Los Angeles Police Department (LAPD) reported 11,402 gang-related crimes in 2005. That same year, the New York Police Department

reported just 520. FBI crime reports indicate that New York’s homicide rate that year was about half of Los Angeles’, while the rate of reported gang crime in Los Angeles was 49 times the rate reported in New York City. Yet absent better alternatives, lawmakers across the country risk blindly following in *Los Angeles*’ troubled footsteps. Federal proposals—such as S. 456, the “Gang Abatement and Prevention Act of 2007”—promise more of the kinds of punitive approaches that have failed to curb the violence in Los Angeles.

A better way

Our report does not endorse any particular program or approach for reducing the damage done by gangs and gang members. Instead, it points toward actions we can take to reduce youth violence. The most effective route toward reducing the harm caused by gangs requires a more realistic grasp of the challenges that gangs pose. The objective should not be to eradicate gangs—an impossible task—but rather to promote community safety. As one community stakeholder observes, “The problem is not to get kids out of gangs, but the behavior. If crime goes down, if young people are doing well, that’s successful.”

The lessons from the past and results from research on more recent innovations in juvenile justice policy point toward more effective public safety strategies:

- **Expand the use of evidenced-based practice to reduce youth crime.** Evidenced-based practices are those interventions that are scientifically proven to reduce juvenile recidivism and promote positive outcomes for young people. Rather than devoting more resources to gang suppression and law enforcement tactics, researchers recommend targeting funding to support research-based programs operated by agencies in the health and human services sector. As Peter Greenwood, former director of the RAND Corporation’s Criminal Justice Program and an evaluator of Operation Ceasefire in Los Angeles, notes, “*Delays in adopting proven programs*

will only cause additional victimization of citizens and unnecessarily compromise the future of additional youth.”

- **Promote jobs, education, and healthy communities, and lower barriers to the reintegration into society of former gang members.** Many gang researchers observe that employment and family formation help draw youth away from gangs. White youth have greater access to jobs and education, which may explain why there are many white gang *members* but little discussion of a chronic white gang *problem*. Creating positive opportunities through which gang members can leave their past behind is the best chance for improving public safety. This requires both investing resources and reforming policies and practices that now deny current and former gang members access to these opportunities.
- **Redirect resources from failed gang enforcement efforts to proven public safety strategies.** Gang injunctions, gang sweeps, and ominous-sounding enforcement initiatives reinforce negative images of whole communities and run counter to the positive youth development agenda that has been proven to work. Rather than promoting antigang rhetoric and programs, policy makers should expand evidence-based approaches to help former gang members and all youth acquire the skills and opportunities they need to contribute to healthy and vibrant communities.