

Gangs in Los Angeles

Los Angeles has experienced a long-term pandemic of youth gang homicide and violence (California Attorney General’s Office 2004). A quarter-century-long “war on gangs” has cost taxpayers billions of dollars, yet—according to a new report by the Advancement Project—there now are six times as many gangs and at least double the number of gang members in the Los Angeles region (Advancement Project 2007).

New York’s sporadic cycles of gang violence have never paralleled the deadly carnage experienced in Los Angeles. In *Street Wars*, his insightful study of gangs, Tom Hayden writes that some 10,000 of Los Angeles’ young people have been killed in gang conflicts over the past two decades (Hayden 2005). The Los Angeles Police Department (LAPD) reported 11,402 gang-related crimes in 2005 (Advancement Project 2006). That same year, the New York Police Department reported just 520 (New York City Mayor’s Office of Operations 2005). 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.

What can account for such startling contrasts? Is New York City in denial about the nature and size of its street gang problem? Or is the city still benefiting from policies set more than 30 years ago that approached the problem of street gangs in ways that avoided the excesses of police suppression that have characterized the policing of gangs in Los Angeles? Do Hayden, the Advancement Project, and the LAPD exaggerate the seriousness and scale of Los Angeles’ gang problem? Or has police suppression helped to turn the Los Angeles gang problem into a gang pandemic? A short review of gang suppression efforts in Los Angeles is offered here in order to provide a historical context that may shed some light on these puzzling questions.

During World War II, groups of Mexican immigrant “pachucos” in stylized “zoot suits” and wide-brimmed

hats drew hostile police actions when sailors home on leave surged repeatedly into East Los Angeles to attack them. While a handful of sailors were arrested for fighting, hundreds of the Latino youths they attacked were arrested for disturbing the peace.

Hayden recounts that the early African American gangs in Los Angeles—the Slausons and the Gladiators—were formed in the Watts ghetto projects after World War II in response to white youth violence during integration of the public schools. Blacks were beaten and burned in effigy by white public school cliques. African Americans living in Watts faced public signs in nearby Compton, then a white working-class enclave, that warned that “Negroes” had to be out of town by sundown. The white Spook Hunters gang enforced boundary transgressions; when backup was needed it was supplied by the LAPD.

In an interview, a veteran of the 1965 Watts uprising told Hayden about growing up as a Baby Slauson: “We resisted the term ‘gang.’ We saw the police as a gang, we saw ourselves as a club formed because of discrimination. You couldn’t get into the Boy Scouts, you couldn’t go to the public swimming pools, you couldn’t go into Inglewood. Southgate was off limits.”

During the same years that the Youth Board’s street-work efforts in New York City were showing success in assuaging the epidemic of gang violence there, legendary LAPD chief William Parker—who maintained a segregated police force until 1960—resisted the notion of using social work approaches to quell gang violence (Davis 2006). In his view, gang members were incorrigibles, deserving nothing more than a locked-down prison regime. He characterized the city’s barrio residents as just one step removed from “the wild tribes of Mexico.” During the civil rights era, black gangs and black nationalist groups fused in Parker’s mind into a single menace of communist-inspired black power.

As though to confirm Chief Parker’s paranoia, hostilities between South Central gangs seemed to evaporate

in August 1965 as members joined Watts residents in battle against the LAPD and the National Guard during five days of sustained civil disturbance. The cessation of most gang hostilities continued more or less for the next half decade, as many prominent gang leaders took up roles in liberation movement organizations. But after the Los Angeles chapter of the Black Panther Party was dismantled by the combined efforts of the FBI and the LAPD, old gang hostilities reemerged.

Latino gangs in East Los Angeles were a focus of gang suppression policing in the 1970s. In *The City of Quartz*, his far-reaching study of the impact of globalization on the political economy and community culture in Los Angeles, Mike Davis writes that it was a “major community counter-offensive” led by priests, parents, and veteran gang members that brought the number of gang homicides down from 34 in 1978 to none at all in 1988. Meanwhile, an epidemic of “gangbanging” spread rapidly in South Los Angeles, coinciding with the rapid rise of the crack cocaine market. Davis says that as bad as it was, the outbreak of youth violence never came close to resembling the phantasmagoric images portrayed by law enforcement with inflated statistics and supercharged rhetoric.

Davis characterizes the media-fueled hysteria over gangs in Los Angeles during the period as “a terrain of pseudo-knowledge and fantasy projection.” Hysterical rhetoric soon led to a hyperrepressive reaction by police. Davis has described a massive Operation HAMMER gang sweep in Los Angeles during the late 1980s:

A thousand extra-duty patrolmen, backed up by elite tactical squads and a special anti-gang taskforce, bring down the first act of “Operation HAMMER” upon ten square miles of Southcentral Los Angeles between Exposition Park and North Long Beach, arresting more Black youth than at any time since the Watts rebellion of 1965. Like a Vietnam-era search-and-destroy mission—and many senior police are proud Vietnam veterans—Chief [Darrell] Gates saturates the street with his “Blue Machine,” jacking up thousands of local teenagers at random like so many surprised peasants. Kids are humiliatingly forced to “kiss the sidewalk” or spreadeagle against police cruisers while officers check their names against computerized files of gang members. There are 1,453 arrests; the kids are processed in mobile booking cen-

ters, mostly for trivial offenses like delinquent parking tickets or curfew violations. Hundreds more, uncharged, have their names and addresses entered into the electronic gang roster for future surveillance.

In 1987 the Gang Related Active Trafficker Suppression program (GRATS) mounted nine sweeps over a period of two months, netting more than 1,500 arrests. Yet the violence continued, so Chief Gates—fearing a threat by county supervisors to call out the National Guard—threw the sweep machine into high gear, initiating HAMMER-style supersweeps. During an August 1988 raid by HAMMER troops on a group of Dalton Avenue apartment buildings, rampaging cops smashed apartment walls with sledgehammers and spray-painted “LAPD Rules” on those left intact. They wreaked such extensive damage to property and possessions that the Red Cross offered residents disaster relief and temporary shelter. The raid yielded no arrests of gang members and no weapons. Residents were later awarded \$3 million by the courts to compensate them for the damages inflicted during the Dalton Avenue police riot. By 1990 HAMMER had pounded more than 50,000 arrestees (Davis 2006).

In *Street Wars*, Hayden related how mounting Latino gang violence in the Pico barrio on the west side of Los Angeles during the early 1990s was quelled by a series of gang truces. Gang warfare in Santa Monica, West Los Angeles, Culver City, and Venice had become a bloody slaughter, conducted with pipe bombs and drive-by shootings. Street gangs were loosely connected through the prison pipeline to Mexican Mafia (La Eme) shot-callers, who called a cease-fire on drive-bys in September 1993—but, according to Hayden, many cease-fire agreements had already been hammered out at the street level between gang leaders, who met regularly in an effort to calm the warfare.

La Eme had been formed in the California prison system during the 1950s for the purpose of protecting Latino prisoners from hostile acts by African Americans and racist whites. As in Illinois, the prison experience galvanized La Eme with a businesslike structure of rules, enforced with muscular leadership. The shot-callers convened the September 1993 mass meeting of more than 1,000 gang members in Elysian Park to deliver the message that the violence between Mexicans had to cease.

After the gangs were convened, the home of a major La Eme organizer was raided by the LAPD. The

organizer turned informant and helped to make the first federal RICO¹ case against a gang in Los Angeles, which—in 1997—resulted in life sentences for 10 La Eme leaders. But the truce process sustained relative peace in West Los Angeles into 1998 (Hayden 2005).

The first civil gang injunction was sought against the Playboy Gangster Crips in 1987 by then-city attorney James Hahn. He requested a restraining order spanning 26 square blocks south of Beverly Hills with 24 specific prohibitions, including “congregating in groups of two or more” and “remaining in public streets for more than five minutes at any time of day or night.” The injunction would have banned the wearing of gang colors, imposed a curfew on juveniles, and required that gang members would be subject to arrest for simply passing through the area without an authorization document signed by a “lawful property holder or employer.” Hahn was forced to modify his application after opposition erupted from the American Civil Liberties Union—but his gang-busting ambitions were truly fulfilled the following year, when a RICO-style bill he authored in collaboration with Ira Reiner, Los Angeles district attorney, was enacted in Sacramento. The Street Terrorism Enforcement and Prevention Act (STEP) made participation in gang activity a felony (Davis 2006).

The STEP act (California Penal Code 186.20) defines a gang as an ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more specified crimes,² having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

The law provides that anyone who actively participates in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity, and who willfully promotes, furthers, or assists any felonious criminal conduct by members of that gang is guilty of a criminal offense. If a person is convicted of a felony committed “for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further, or assist in any criminal conduct

by gang members,” the person will receive a sentence enhancement on top of the prescribed prison sentence (for low-level felonies, an extra two to four years; for more serious felonies, five years; for violent felonies, ten years) (Bjerregaard 2003).

The use of civil gang injunctions (CGIs) accelerated in the mid-1990s. Cheryl Maxson reports that at least 22 gang injunctions had been issued in the city of Los Angeles by July 2004. The scope of these gang suppression tools can be drawn very broadly:

The number of gang members can range from a handful to the hundreds, and the initial string of names often is followed by “and any other members.” The targeted area can be a housing complex, several square blocks, or an entire city, but most often CGIs are spatially based, neighborhood-level interventions intended to disrupt the gang’s routine activities. Prohibited behaviors include illegal activities such as trespass, vandalism, drug selling, and public urination, as well as otherwise legal activities, such as wearing gang colors, displaying hand signs, and carrying a pager or signaling passing cars, behaviors associated with drug selling. Nighttime curfews are often imposed. Most disturbing to legal scholars and advocates is the commonly applied prohibition against any two or more named gang members associating with one another. (Maxson, Hennigan, and Sloane 2005)

A gang database was first compiled in Los Angeles by the Los Angeles County sheriff the same year that James Hahn sought his injunction against the Playboy Gangster Crips. The Los Angeles database was taken statewide a decade later when the California Department of Justice created CalGang, which tracks some 200 datapoints of personal information and gang-related information. By 2003, Loren Siegel reported, 47 percent of African American men in Los Angeles County between the ages of 21 and 24 had been logged into the Los Angeles County gang database, and more than a quarter-million Californians had been entered into the CalGang database by law enforcement personnel across the state (Siegel 2003).

A person can be entered in the CalGang database if a law enforcement officer determines that the person meets at least two of ten criteria (Advancement Project 2006):

1. Admits gang membership or association.
2. Is observed to associate on a regular basis with known gang members.

1 The Racketeer Influenced and Corrupt Organization (RICO) Act of 1970 provides long prison sentences for those convicted of certain crimes (e.g., gambling, murder, kidnapping, arson, robbery, bribery, extortion) performed as part of an ongoing criminal organization.

2 See prologue footnote 1 for a list of the crimes.

3. Has tattoos indicating gang membership.
4. Wears gang clothing, symbols, etc., to identify with a specific gang.
5. Is in a photograph with known gang members and/or using gang-related hand signs.
6. Is named on a gang document, hit list, or gang-related graffiti.
7. Is identified as a gang member by a reliable source.
8. Is arrested in the company of identified gang members or associates.
9. Corresponds with known gang members or writes and/or receives correspondence about gang activities.
10. Writes about gangs (graffiti) on walls, books, paper, etc.

Civil injunctions and other public order measures, such as curfews for urban youth, have been embraced by many as progressive alternatives to draconian incapacitation mandated by antigang sentencing enhancements such as are embodied in STEP (Harcourt 2001). Yet introduction of these “alternatives” has not served as a substitute for police repression and imprisonment of street gangs in Los Angeles. Rather, the array of antigang measures have combined to compound the impact of Los Angeles’ perennial crackdowns on gangs.

The intensity of the LAPD’s war on street gangs and its propensity for corruption were laid bare when investigations of police misconduct exposed the operations of the CRASH (Community Resources Against Street Hoodlums) program. According to Tom Hayden, CRASH had evolved from TRASH—Los Angeles’ first antigang police unit—established under a federal grant in 1977. T stood for *total*, and the goal was total suppression of gangs.

In 1998 a CRASH officer working out of the Rampart police precinct house, Rafael Perez, was charged with theft of eight pounds of cocaine from a police locker. Facing a long prison term, Perez broke the code of silence and revealed the inner workings of the antigang squad.

Operating jointly with federal agents in the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives, CRASH officers in the Rampart district conducted gang sweeps in 1997 and 1998 that resulted in Immigration and Naturalization Service (INS) deportation of 160 people. Some INS officials in Los Angeles were appalled at the tactics being

used. INS documents handed over to a *Los Angeles Times* reporter revealed complaints by INS officers that CRASH was waging war against “a whole race of people.” Perez testified that potential witnesses to police misconduct were being handed over to the INS for deportation.

Perez talked of framing cases against some 100 people, and implicated scores of other officers. Perez admitted that he and his partner had shot one Pico-Union gang member in the head and then planted drugs and guns near his fallen body. The brain-damaged victim, released from prison after Perez’s testimony, had been sentenced to 23 years in prison for his “crime.” Tainted cases were dismissed against 99 other defendants. A *Los Angeles Times* article published in 2000 characterized the Rampart CRASH unit as hosting a secret fraternity of more than 30 officers and sergeants with “an organized criminal subculture.” Officers were awarded plaques that celebrated incidents in which they had wounded or killed people (Glover and Lait 2000).

The harsh gang suppression tactics that have been employed for decades by law enforcement agencies in Los Angeles have never suffered from a lack of criticism from academic experts, civil libertarians, and criminal justice reform advocates and activists. California’s Youth Justice Coalition (YJC) has been waging a grassroots campaign against Los Angeles’ current war on gangs. YJC activists charge that by criminalizing gang membership and gang activity, California’s antigang laws result in discrimination on the basis of race, class, and age. They argue that “people should be held accountable for their actions not for their dress, affiliations or where they live or hang out” (California Youth Justice Coalition 2006).

YJC activists condemn the excessive sentences meted out under the penalty enhancement provisions of California’s STEP law, especially as they interact with other “get-tough” measures enacted by California voters, such as the “Three Strikes” law and Proposition 21, which made any felony committed “on behalf of a gang” a strike and provides prosecutors with legal authority to file charges against youths as young as 14 years old directly in adult court, without a fitness hearing before a judge. YJC activists charge that once youths are labeled with “gang affiliation,” they receive more severe treatment at every stage of the adjudication process. They may be denied release on bond; their defenses may be discounted and their testimony disbelieved by judges and jurors.

Activists charge that instead of targeting individuals

for their criminal activity, gang injunctions sweep entire communities into a net of police surveillance. Moreover, they argue, injunctions, for the most part, are imposed not on the largest gangs or the most notorious gang neighborhoods but rather in areas that are near to white neighborhoods or those most attractive for gentrification. At a city council hearing on these injunctions held in May 2006, community residents from areas under injunction complained of severe curtailment of basic freedom and of routine police harassment.

In April 2007 Los Angeles city attorney Rocky Delgadillo responded to community pressure by announcing new guidelines that mandate significant changes in civil injunction procedures (Los Angeles City Attorney's Office 2007). No longer will police officers determine who will be served with an injunction. They will have to present the city attorney's office with evidence that proves, beyond a reasonable doubt, that a person is an active gang member before adding that person to an injunction list. Those added to a list will be served with legal notice and will be able to petition for removal from an injunction list by explaining that they are no longer active—or never were active—in a gang. Moreover, all cases will automatically be reviewed every three years, and people will be removed from the list unless there is evidence that they have maintained active gang membership.

The revised guidelines mark a major victory for YJC activists in Los Angeles, but they pledge continued pressure to extend the injunction reforms to Los Angeles County, and to end use of gang database systems that remain devoid of meaningful due process. They continue to seek guarantees that people who

are added to CalGang will receive official notification and be given clear rights to appeal their inclusion in the database.

The history of failed gang strategies compiled by the Advancement Project for the Los Angeles city council in 2006 notes that Proposition 13 (the landmark tax reform measure enacted by California voters in 1978) resulted in virtual elimination of all of the city's prevention and early intervention programs. Around the same time, the city began to construct its monolithic gang suppression machinery (Advancement Project 2006). In contrast, New York City has made considerable efforts to maintain an adequate level of city funding for youth services, recreation, and employment programs (Advancement Project 2007).

To this day, suppression has remained the primary strategy to address Los Angeles' serious, chronic problem of gang violence. The Advancement Project research team reports that more than two-thirds of the money available for gang reduction efforts is directed to suppression efforts by the LAPD and the city attorney's office, with the largest portion invested in police "gang impact teams."

Los Angeles is well into the third decade of its failed "war on gangs." Despite massive, militarized police actions, strict civil injunctions, draconian sentencing enhancements, and a gang database that appears to criminalize upwards of half of its young African American male residents, gang violence is worsening, according to media reports. With a reported 720 active gangs and 39,488 gang members, Los Angeles retains the dubious honor of being the gang capital of the world.