

The problem is not police training, police diversity, or police methods. The problem is the dramatic and unprecedented expansion and intensity of policing in the last forty years, a fundamental shift in the role of police in society. The problem is policing itself.

**Alex S. Vitale**

# The End of Policing

# The End of Policing

Alex S. Vitale



First published by Verso 2017

© Alex S. Vitale 2017

All rights reserved

The moral rights of the author have been asserted

1 3 5 7 9 10 8 6 4 2

**Verso**

UK: 6 Meard Street, London W1F 0EG

US: 20 Jay Street, Suite 1010, Brooklyn, NY 11201

[versobooks.com](http://versobooks.com)

Verso is the imprint of New Left Books

ISBN-13: 978-1-78478-289-4

ISBN-13: 978-1-78478-291-7 (US EBK)

ISBN-13: 978-1-78478-290-0 (UK EBK)

**British Library Cataloguing in Publication Data**

A catalogue record for this book is available from the British Library

**Library of Congress Cataloging-in-Publication Data**

Names: Vitale, Alex S., author.

Title: The end of policing / Alex Vitale.

Description: Brooklyn : Verso, 2017.

Identifiers: LCCN 2017020713 | ISBN 9781784782894 (hardback) | ISBN  
9781784782917 (US ebk) | ISBN 9781784782900 (UK ebk)

Subjects: LCSH: Police—United States. | Police misconduct—United States. |

BISAC: POLITICAL SCIENCE / Political Freedom & Security / Law Enforcement.

| SOCIAL SCIENCE / Discrimination & Race Relations. | POLITICAL SCIENCE /

Public Policy / General.

Classification: LCC HV8139 .V58 2017 | DDC 363.20973—dc23

LC record available at <https://lcn.loc.gov/2017020713>

Typeset in Sabon by MJ & N Gavan, Truro, Cornwall

Printed in the US by Maple Press

## 8

### Gang Suppression

Malcolm Klein, in his book *Gang Cop*, tells the story of “Officer Paco Domingo,” a composite of dozens of gang officers. Officer Paco sees the gangs on his beat as a source of serious criminality and attempts to control them through aggressive and punitive interactions that often skirt the law. In a typical interaction, he confronts a group of teenagers hanging out on the corner and searches them without any reasonable suspicion or probable cause. He interrogates them about what they’re doing there, then orders them to disperse. He might handcuff them, make them lie on the ground, and order them not to look at him. His goal here is not law enforcement; it’s control and humiliation. Gang cops like Officer Paco believe that intimidation is what dissuades young people from gang activity. The dynamic between street gangs and the police looks a lot like a war between competing gangs, with each side using constantly increasing terror to try to show who is toughest.

After a relative lull in the 1970s, gangs have become larger, more numerous, and widely distributed across the United States. While Los Angeles and Chicago remain outliers in the intensity and extent of gang activity, other cities are gaining ground, giving rise to a wide variety of police-centered suppression strategies at the local, state, and national level. Hundreds of cities and many states now have dedicated gang units that concentrate on intelligence gathering and intensive enforcement. Many states have also added enhanced legal penalties that play a role in mass incarceration. Despite these efforts, gangs remain alive and well, continually renewing their membership. While the bulk of crimes committed by active gang members involve low-level drug dealing and property crime, violence plays an important role in the cohesion of gang

identities, and protecting territory from rivals is at the center of much of this destructive behavior.

Police gang units emerged as a national trend in the 1980s. By 1999, half of all police agencies with over 100 officers had such units. By 2003 there were estimated to be 360 such units, the vast majority of which had been in place for less than ten years.<sup>1</sup> At the national level, the FBI has established 160 Violent Gang Safe Streets Task Forces staffed by nearly a thousand federal law enforcement personnel.<sup>2</sup>

Gang units tend to take on two main functions: intelligence gathering and street suppression. A few units maintain a largely intelligence-gathering function, channeling information about gang activity to enforcement units in patrol, narcotics, and other divisions. Most, however, are directly involved in suppression. Tactics include both long- and short-term investigations and random patrols. They harass gang members constantly on the street and in their homes and target them for frequent arrest.

These gang units tend to become isolated and insular. Their specialized function and intelligence-gathering aspect lend them an air of secrecy and expertise that they cultivate to reduce outside supervision or accountability. In addition, a strong group loyalty often emerges, similar to that seen in SWAT teams, in which experience, training, and the specialized nature of the work contributes to an “us against the world” attitude. Officers often come to believe that they are the only ones who understand the nature of the problem and the need for heavy-handed tactics to deal with young people who openly defy their authority. They see police executives who embrace community policing and preventative measures as empty suits handing over neighborhoods to the gangbangers and deride non-law-enforcement efforts as empty-headed coddling of hardened criminals.<sup>3</sup> In addition, these units often come to play a role in perpetuating the politics of gang suppression. As part of an effort to maintain funding, they spend a lot of their time speaking to community groups about the threat gangs pose and the need for more suppression efforts. This tends to be one-way communication; these units rarely take input from communities about where and how to carry out their activities. Instead, it is usually part of a self-serving effort to win more resources and

keep up the moral panic about youth violence and gangs, as well as to channel all related concerns into continued aggressive policing.

There are a lot of misunderstandings about the nature of gangs, which have come to play a role in the way that police handle them. Strategies that seek to “eradicate” gangs often fail to consider exactly who the targets for such action are, or the effect on those targeted and on the community. Officials often use language that dehumanizes gang members, such as one LA sheriff’s captain who said, “Everyone says: ‘What are we going to do about the gang problem?’ It’s the same thing you do about cockroaches and insects; you get someone in there to do whatever they can do to get rid of those creatures.”<sup>4</sup> This kind of language opens the door to civil and human rights abuses and is unlikely to result in long-term reductions in gang activity.

This is exactly what has happened in Los Angeles. For years, the LAPD has embraced a series of suppression measures designed to root out gangs. In the 1970s, the department developed specialized antigang units first known as TRASH (Total Resources Against Street Hoodlums) and later sanitized into CRASH (Community Resources Against Street Hoodlums). In 1987, after a series of horrific gang killings, Chief Daryl Gates initiated a massive crackdown called Operation Hammer in which CRASH units, with the support of other units, carried out sweeps of communities with gangs, with little regard for legal standards or whether those arrested had anything to do with gangs or crime. In one weekend in April 1988, a thousand officers made almost 1,500 arrests, only 103 of which resulted in charges. Officers raided an entire low-income housing development that they erroneously believed was an epicenter for gang-related drug dealing. When no actual gangs or drugs could be found, officers ripped open walls, destroyed furniture and personal belongings, and spray-painted threatening messages like “LAPD Rules” and “Rollin’ 30s Die” on the walls. Dozens were arrested, humiliated, and had their property destroyed, but no one was ever convicted of a crime.

By 1990, fifty thousand people had been arrested in such sweeps. Current LAPD chief Charlie Beck points out that these sweeps “undermined the moral authority of the police.”<sup>5</sup> Gang members may have been a source of problems in these communities, but they were still a part of them. They had mothers, cousins, uncles, and friends who viewed the sweeps as the arbitrary, abusive, and disproportionate actions of an

occupying army. Many became more sympathetic toward gangs and the young people facing the brunt of this enforcement activity. All the while, crime rates continued to go up—as did excessive-force lawsuits against the police. By the late 1990s, CRASH units had become insular, brutal, and unaccountable. The Rampart Scandal of 1999 unveiled a pattern of corruption and criminality. Dozens of officers were accused of false arrests, unlawful shootings, beatings, and even robbery and drug dealing. Joe Domanick, in his expose of the post-Rodney King LAPD, details the intensity of this corruption and the utter lack of accountability. Excessive force was routine; so were coverups. Shootings and other incidents were only ever investigated by supervisors within CRASH, who often led the effort to make events appear justified on paper. Accounts and paperwork were routinely fabricated in the name of sticking it to the gangbangers. It was within this atmosphere that Rafael Pérez and others began stealing drugs from the Rampart Division evidence room and reselling them on the streets. When investigators cornered Pérez, he implicated dozens of others in illegal killings, coverups, robberies, and drug dealing. Hundreds of prior convictions had to be overturned; many officers were disciplined or forced to retire; some were incarcerated; millions in damages were paid out.<sup>6</sup>

While police have some useful firsthand knowledge, they too are subject to pressure by politicians and the public, whose views are shaped by sensationalist media coverage as well as movies and television. Communities directly affected also have some immediate knowledge, but they too are remarkably unclear about the exact role of gangs versus unaffiliated youth and tend to have their views skewed by extreme events, which often then become associated with any group of young people hanging out together in public spaces. A group of middle-school kids who hang out together and paint graffiti may be perceived as dangerous, even if they rarely go beyond vandalism and perhaps shoplifting supplies. While more organized gangs often have certain symbols or styles of clothing, these may be difficult for many to distinguish. A lot of property and violent crime are committed by young people, and much of it happens in poor communities, especially black and Latino ones; wealthier kids are generally less likely to get caught and more likely to be dealt with informally or leniently if apprehended.<sup>7</sup>

The police tend to see most youth criminality in gang neighborhoods as gang-related. They also tend to view gangs as highly organized, directed

by central leadership, central to local drug markets, and comprised of hardened criminals.<sup>8</sup> This comports closely with their suppression orientation, which has been amplified by the growth of gang databases, sentencing enhancements, and injunctions.

Even in the most gang-intensive communities, only 10 to 15 percent of young people are in gangs; research consistently shows that most involvement is short-lived, lasting on average only a year. While some become intensively involved and identified with their gangs, many more have a looser connection and drift in and out depending on life circumstances. Rarely does leaving result in serious consequences. A new child or job are generally sufficient explanation for not being on the streets any longer.<sup>9</sup>

Suppression efforts mostly focus on established members of whom the police are aware. Police assume that these members play a central leadership role in initiating and directing illegal activity, with younger members playing a support role. They believe that getting rid of leaders will disrupt and destabilize the gang, causing it to either dissipate or at least be less violent. The reality is that for every “shot caller” or “old head” that’s locked up, there are many more to take their place. The whole idea of one or two leaders directing gang activity is itself a misunderstanding of the horizontal nature of gangs, with many people playing shifting and overlapping leadership roles at different times and in different circumstances. Just as importantly, much of the violence committed by gang members is performed by younger members hoping to prove themselves, who have had no previous contact with the police and are not in gang databases or under surveillance.<sup>10</sup>

Another central misconception is that arrest and incarceration will break the cycle of violence and criminality. The fundamental premise is that young people will either be intimidated by the threat of arrest and incarceration or that removing them from the streets will reduce the number of young people active in gangs and other illegal activities. There is very little evidence to support these ideas. Young people seem largely immune to this deterrent effect. Juveniles rarely make such rational cost-benefit calculations. Instead, they tend to make impulsive decisions, think in very short time horizons, and believe that they will not get caught. Many report that they expect to have very short lifespans and focus on



achieving respect and social acceptance on the streets rather than considering the impact of arrests and incarceration on their future. It could also be argued that, for some, despite the threat of punishment, the gang may still be the “rational” decision in circumstances where legitimate economic opportunities are scarce and there is a need for protection in one’s neighborhood.

Nor do arrests incapacitate gangs. Many are intergenerational, and there are always more young people to fill the shoes of those taken away. Destabilizing existing dynamics of respect and authority can create a power vacuum that encourages more crime and violence as people jockey for prestige. There is also evidence that intensive gang enforcement breeds gang cohesion. The constant threat of police harassment becomes a central shared experience of gang life and contributes to a sense of “us against the world,” in an ironic converse of the police mentality. Gangs often thrive on a sense of adventure; boasting and fraught encounters with the police become central aspects of gang identity. One way to gain respect is to stand up to police harassment in subtle ways, like flashing gang signs or giving them the eye as they drive past. This use of bravado to gain respect can only be accomplished if police are there as an oppositional force.<sup>11</sup>

What’s more, the many young people incarcerated by this process are now burdened with a criminal record that makes them less employable. They are generally drawn into prison gang activity, which tends to be even more violent than street gangs. Finally, they have often been abused by guards and other inmates. All of this contributes to hardening a criminal identity. Since all but a few of those incarcerated come back to the community at some point, relying on this approach sets these young people and their communities up for failure.

We can see this play out in places like Oakland, California, where young people are subjected to punitive probation and parole policies, policing, and school discipline. Wherever they go they are hounded by government officials, who treat them as always-already criminals. The effect is what sociologist Victor Rios calls the “youth control complex,” which undermines their life chances by driving them into economic and social failure and long-term criminality and incarceration.<sup>12</sup>

Many cities have doubled down by developing new tools of punishment and suppression such as multi-agency task forces, gang

sentencing enhancements, and gang injunctions. The center of these innovations is California, which has extensive gang activity and has also been at the heart of mass incarceration politics and policy over the past thirty years.

San Diego's Jurisdictions United for Drug Gang Enforcement (JUDGE) targeted gang members believed to be involved in drug dealing. They intensively monitored those with a past drug arrest and arrested more than 80 percent of them in a two-year period. Ninety-seven percent of those arrested were black or Latino. Much of the enforcement focused on probation violations; almost half of those targeted spent six months or more in jail or juvenile facilities. Four years after the program ended, two-thirds of those targeted had been rearrested, usually multiple times. Evaluators of the program noted the high recidivism rate as a clear indication of failure and went so far as to say that the program may have done more harm than good, as incarceration is more likely to lead to additional offenses than drug treatment, improved educational access, and employment are.<sup>13</sup>

Multi-agency task forces, in which local and federal officials work together to develop major cases against gangs, have seen similarly dismal results. In drug cases this involves low-level buy-and-bust operations to develop informants, who then provide information on drug dealers. These dealers are then targeted and whoever is caught is asked to provide evidence against others in the gang. Strong loyalties mean that often people refuse to cooperate or name others outside their group. Rarely do these investigations move higher up the drug distribution chain; generally they have no effect on the availability of drugs or the cohesiveness and impact of local gangs. Susan Phillips points out that incarcerating earners further destabilizes families and communities.<sup>14</sup>

Nevada and California have developed sentencing enhancements that add many additional years to sentences based on loose definitions of gang membership. Anyone the police want to assert is affiliated with a gang can find an extra decade added to their sentence. Neither state has seen a reduction in gang activity; the enhancements have further overpopulated state prisons without providing meaningful relief to youth or their communities.

Gang databases are another problematic area of intervention. California has a statewide database populated with the names of hundreds of thousands of young people, the vast majority of whom are black or Latino. Officers can enter names at will, based on associations, clothing, or just a hunch. There are very few ways of getting your name removed from the list; many people do not even know whether or not they are on it. In some neighborhoods, inclusion on the list is almost the norm for young men. Police and courts use the list to give people enhanced sentences, target them for parole violations, or even target entire neighborhoods for expanded and intensified policing. The Youth Justice Coalition in Los Angeles has documented cases where information in the database has been shared with employers and landlords, despite legal requirements that the database not be publicly accessible.<sup>15</sup>

These databases have made possible another new tool: the gang injunction. These are civil injunctions brought by local authorities to try to break up gang-related activities on a broad scale. Rather than targeting individuals for criminal prosecution, they criminalize membership in—or even association with—gangs. San Jose’s injunction prohibits “standing, sitting, walking, driving, gathering, or appearing anywhere in public view” with someone suspected of being a gang member. Some injunctions name specific individuals; others are directed at a gang and anyone believed by police to be associated with that gang is covered, even without prior notification. Those that violate the injunction are subject to criminal prosecution for contempt of court, which is a misdemeanor punishable by up to six months in jail. By 2011, the city of Los Angeles had brought forty-four injunctions targeting seventy-two gangs. People can be penalized for associating with family members and lifelong friends—sometimes without realizing it. People who have long since left gang life but remain in a database may find themselves or those they associate with criminalized for walking down the street together. Ana Muñiz argues that one of the primary functions of these injunctions is maintaining racial boundaries by tightly constraining the behaviors and movements of black and brown youth.<sup>16</sup>

Little systematic evaluation of these injunctions has been done, and the studies that exist are far from conclusive. However, most show either no effect or a very short-lived one in which, after a year or two, crime rates return to their previous levels. In one study, the ACLU found that crime

activity near an injunction in Los Angeles was merely dispersed and may actually have increased.<sup>17</sup> A gang injunction targeting two neighborhoods in Oakland was withdrawn after residents and criminal justice reform groups such as Critical Resistance showed that it did not make these neighborhoods any safer. Even local police officials admitted that the injunction had been ineffective and undermined police-community relations more broadly.

Social-media-based gang-suppression efforts take guilt by association to a new level. The most notorious is Operation Crew Cut in New York City. In 2012, the NYPD doubled the size of its gang unit to 300 officers and began creating fake social media profiles and using them to monitor the activities of people as young as twelve who are suspected of involvement in crime. They attempt to trick these young people into accepting friend requests, often by creating fake profiles using photos of attractive young women, to gain access to secure information. The investigators then use this access to track who is friends with whom in order to draw up extensive lists of “known associates.” These associates then get designated as members of a particular gang or crew. The police can then use conspiracy laws and other measures to round up large numbers of young people under the banner of gang suppression without concrete evidence of criminal behavior, just a social media connection to someone suspected of a violent crime.

This is exactly the wrong direction. Law professor Babe Howell argues that New York City’s expanded emphasis on gang suppression is being driven by the legal and political pushback against “stop-and-frisk” policing. She says that when police lost the ability to engage young people of color through street stops, they developed new but similarly invasive gang policing techniques under a new name. In both cases, black and brown youth are singled out for police harassment without adequate legal justification because they represent a “dangerous class” of major concern to police.<sup>18</sup>

## **Reforms**

Efforts to take a more nuanced approach to gang and youth violence attempt to closely target youth believed to be at high risk of crime and use

social support services to try to steer them off the streets. The two best-known models have been the Spergel Model and “focused deterrence.” Irving Spergel at the University of Chicago developed a comprehensive model for gang intervention that has received extensive support from the Office of Juvenile Justice and Delinquency Prevention.<sup>19</sup> The model calls for a robust mix of suppression strategies and social services. At its best, it involves collaboration between law enforcement, schools, social service providers, and local communities, with an aim toward developing the most appropriate tools to address local conditions. Some plans involve intensive enforcement toward young people using coordinated teams of police, parole, and prosecutions while also attempting to provide family support, job training, and socialization skills development.

“Focused” or “targeted deterrence” initiatives function in much the same way. Developed by criminologist David Kennedy and first implemented in Boston in 1996, they attempt to stop gun violence through intensive and targeted enforcement combined with support services and appeals from community stakeholders to stop the violence. Ideally, this model begins with a community mobilization effort in partnership with local police. The goal is to send a unified message to young people that gun violence will no longer be tolerated. If it occurs, they use every resource at their disposal to apprehend the assailant and to disrupt the street life of young people involved in crime, across the board (this is called “pulling levers”). The hope is that young people will choose to avoid violence, so that they can concentrate on socializing and low-level criminality free of constant police harassment. This is based on evidence that a great deal of shooting was not drug-related but involved tit-for-tat revenge shootings by warring factions. The key is to break that cycle. To achieve this, police develop “hot lists” of young people they believe are more likely to engage in violent crime, based on a host of sometimes secret factors like prior arrests, involvement in foster care, and even school performance. The young people are called into meetings with local police and community leaders and threatened with intensive surveillance and enforcement if the gun violence doesn’t stop. These “call ins” are made possible in part because many of these young people are on probation or parole for past offenses. There is usually an effort to develop some targeted social services to offer education and employment opportunities.<sup>20</sup> In New York under the banner of Operation Ceasefire, if

violence does occur after a call-in, the entire population of young people is targeted for aggressive prosecution on any arrest, even if they were not part of the call-in and had no knowledge of the initiative.

These models are very similar and rely primarily on intensive punitive enforcement efforts. While focused deterrence is more concerned with gun violence, both models rely heavily on traditional gang suppression efforts of investigations, arrests, and intensified prosecutions. The social services offered tend to be very thin, involving some counseling and recreational opportunities but rarely access to actual jobs or advanced educational placement. Life skills and socialization classes do nothing to create real opportunities for people, instead reinforcing an ethos of “personal responsibility” that often ends up blaming the victims for their unemployment and educational failure in communities that are poor, underserved, segregated, and dangerous.

Research on these programs does show some meaningful declines in crime that can even last for years. Overall, though, the results are thin. Most reductions are small, occur in only a few crime categories, and don’t last very long. They also continue to reinforce a punitive mindset regarding how to deal with young people in high-crime, high-poverty communities, most of whom are not white. It is certainly true that violent crime is heavily concentrated among a fairly small population of young people in specific neighborhoods. It makes more sense to target them than to indiscriminately stop and frisk pedestrians or to arrest hundreds of thousands of young people who have either done nothing wrong or are engaged in only minor misbehavior. Despite the claims of the broken-windows theory, there really isn’t a strong connection between the two groups.

The targeting is problematic, because police fail to understand the often amorphous nature of gang membership and the fact that one prior offense doesn’t necessarily mean a strong long-term commitment to crime. This is also a profound invasion of privacy: people are subjected to intensive police surveillance based on a perceived risk factor rather than any specific criminal or even suspicious behavior. This “predictive policing” is just another form of profiling of young men of color. Most young people who engage in serious crime are already living in harsh and dangerous circumstances. They are fearful of other youth, abusive family members, and the prospect of a future of joblessness and poverty. They

don't need more threats and punishment in their lives. They need stability, positive guidance, and real pathways out of poverty. This requires a long-term commitment to their wellbeing, not a telephone referral and home visits by the same people who arrest and harass them and their friends on the streets. Bill Bratton, in his first stint as NYPD commissioner, pointed out that police officers are not social workers: they're not trained for it, nor prepared for it, and that's not their role. Why would they be suited for engaging these young people as mentors or life-skills trainers? They aren't.

In addition, deterrence theory rarely applies to the young people being targeted. As noted, they are driven by emotions and short-term considerations and impulsiveness, not carefully calculated long-term risk assessments. Violence among this group is often driven by fear, anger, and humiliation, not calculations of material gain.<sup>21</sup> Threats, intimidation, and incarceration merely intensify those feelings of low self-esteem and, yes, humiliation. In the end, focused deterrence is really a continuation of the punitive practices already employed.

Some police officials who have spent years using punitive methods have begun to question them and look for alternatives. Joe Domanick shows this process playing out in Los Angeles. LAPD chief Charlie Beck, for example, has come to embrace a more community-centered approach. Beck had been an active participant in Daryl Gates's Operation Hammer, but began to see that without community support, they could accomplish little of long-lasting consequence. He began to reach out to organizations and young people who were already out on the streets trying to reduce the violence as "gang interventionists." The LAPD had treated these groups with suspicion or even revulsion in the past. Many are former gang members who had spent time in jail. Police saw them as too close to the street and too critical of the police to be trusted. Beck came to understand that this was exactly what made their work possible. Beck brought them into discussions for the first time. The most concrete outcome was police support for the role of violence interrupters.<sup>22</sup>

In the end, though, this was primarily about securing community support for more nuanced but still primarily punitive law enforcement. What remained was a still-dysfunctional system of law enforcement and largely unconnected youth programs. Advocates, such as Connie Rice at the Advancement Project, understood this but were unable to get the city



council to realign its emphasis despite putting together an extensive report, *A Call to Action: The Case for a Comprehensive Solution to L.A.'s Gang Violence Epidemic*, which documented the failures of the suppression model and the dysfunction of existing efforts.<sup>23</sup> Today, the overall focus of the LAPD remains on suppression, with some nods to the role of community-based gang interventionists. In fact, in 2014, the LA Youth Justice Coalition developed a plan to redirect 1 percent of the LA County law-enforcement budget toward social programs for youth, including community centers, youth jobs, and violence interrupters.<sup>24</sup> That 1 percent would generate around \$100 million a year, a rhetorical intervention that has yet to bear fruit.

## **Alternatives**

Redirecting resources from policing, courts, and jails to community centers and youth jobs is crucial to the real reforms needed to reduce juvenile violence. We are spending billions of dollars annually to try to police and incarcerate our way out of our youth violence problems while simultaneously reducing resources to improve the lives of children and families.

It makes much more sense to reduce racialized segregated poverty, provide troubled kids with sustained treatment and support, and provide communities with tools to better self-manage their problems without the use of armed police. First, we must have a real conversation about the entrenched, racialized poverty concentrated in highly segregated neighborhoods, which are the main source of violent crime. It is true that crime has declined overall without major reductions in poverty or segregation, but the crime that remains is concentrated in these areas. Unlike aggressive policing and mass incarceration, doing something about racialized poverty and exclusion would have general benefits for society in terms of reducing poverty, inequality, and racial injustice.

In a bit of an overgeneralization, Elliott Currie argues that we need three things to reduce youth offending: “jobs, jobs, and jobs.”<sup>25</sup> Most young people would gladly choose a stable, decent-paying job over participation in the black markets of drugs, sex work, or stolen property. The United States is more segregated today than ever before. It allows up



to 25 percent of its young people to grow up in extreme poverty, something that just isn't tolerated in other developed countries. It is from that population that most serious crime originates. The research on whether a short-term increase in the supply of youth jobs (often temporary and low-paying) reduces crime has shown mixed results. What remains to be tested is what would happen if there were a sustained increase in decent-paying jobs over several years. Such an increase might be able to overcome the educational and even cultural dynamics that contribute to black-market participation and violence.

Not every young person in these neighborhoods is ready and able to work, even if jobs were available. So the second plank is doing something to improve stability for these young people, so many of whom have been subject to soul-crushing poverty, abuse, and violence. What's remarkable is not how much crime they commit but how *little* they do, given this extreme deprivation. For years, the proponents of austerity and neoconservative tough-on-crime politics have claimed that social programs and treatment don't work. Of course no single program by itself can end serious crime; too often, in their scramble for resources, supporters of these programs make overly ambitious claims that set them up for failure. Midnight basketball by itself won't bring an end to crime any more than Police Athletic Leagues will. In many cases, the programs that do get funding tend to deal with those young people with the fewest needs. But most programs avoid those who need help the most; those that do serve them tend to have the best results, but only when they involve a sustained, comprehensive approach that deals with both their problems and those of their families.<sup>26</sup> Such "wraparound" services have to be at the center of any youth-violence reduction program.

Finally, we need to build the capacity of communities to solve problems on their own or in true partnership with government. The primary face of local government in poor communities is the police officer, engaged primarily in punitive enforcement actions. Why not build community power and put non-punitive government resources to work instead? Michael Fortner argues that African Americans played an important role in ushering in the era of mass incarceration and overpolicing by demanding that local government do something about crime and disorder.<sup>27</sup> What this analysis misses is that many of these same leaders also asked for community centers, youth programs, improved

schools, and jobs, but these requests were ignored in favor of more police, enhanced prosecutions, and longer prison sentences. It's time to revisit this equation.

Communities often have good ideas about how to reduce crime through nonpunitive mechanisms, when given access to real resources. One model for pursuing this is community-based restorative justice. In this model, community members, through a representative body, are asked to assess the risks of taking some offenders back into the community instead of sending them to prison.<sup>28</sup> They use some or all of the resources that would have been spent on incarceration to develop rehabilitation and prevention programs. One study found that New York State was spending more than \$1 million a year to incarcerate people from a single square block in Brooklyn—and there are many such “million-dollar blocks.”<sup>29</sup> Most communities could find ways to spend that money that would achieve much better results than those produced by heavy-handed policing and mass incarceration. Jobs programs, drug treatment, mental health services, and youth services would all help reduce crime and break the cycle of criminalization, incarceration, and recidivism.

At the same time, this model would engage offenders in restitution and harm-reduction projects to help repair the damage they have caused. Abandoned houses that are sites of drug dealing and violence could be rehabilitated to provide stable housing. Older youth could be trained to mentor younger ones about how to resolve disputes without relying on violence, stay in school, and prepare for a difficult job market.

So much of the youth gang and violence problem stems, as David Kennedy's research points out, from a sense of insecurity.<sup>30</sup> When young people are constantly at risk of victimization, they turn to gangs and weapons to provide some semblance of protection. Communities need help in exercising informal controls to try and break this dynamic. There is no one solution to this, but active, positive adult involvement in the lives of these young people would be a major step in the right direction. This would require developing the capacity of parents to be more involved, which means looking at the structure of working hours and the high costs of childcare.<sup>31</sup> Often parents are unable to supervise their children adequately because of the intense demands of multiple jobs with erratic schedules. We also need to invest in drug treatment and mental health

services to address the difficulties some parents face in managing themselves, much less their children.

Youth workers, coaches, and school counselors can all play a role in mentoring and monitoring young people. In too many cases, however, we are replacing them with more police. When communities demand more police, those resources have to come from somewhere else, and too often they come from schools and community services. This all squares nicely with austerity politics, where social programs are slashed to make way for tax cuts for the rich and enhanced formal social control mechanisms.

Another way to empower communities is to invest heavily in public-health-oriented prevention programs that operate at the neighborhood level. Often undertaken under the banner of “Cure Violence,” these programs try to send strong anti-violence messages to young people, engage them in pro-social activities like after-school art and job training programs, and hold workshops in nonviolence conflict resolution.<sup>32</sup> They also employ outreach workers as violence interrupters, who can talk to young people from a shared position. The power of that connection for building credibility cannot be overstated. These workers are trying to break the cycle of violence through rumor control, gang truces, and ongoing engagement with youth out on the streets.

Some places are trying to move in this direction. Minneapolis has a “Blueprint for Action to Prevent Youth Violence,” a multi-agency effort involving government, nonprofits, and community members.<sup>33</sup> Unlike gang-suppression efforts, it’s housed in the health department rather than the police department. The blueprint brings people together to discuss existing problems and programs and tries to coordinate their efforts and prioritize funding for new services and initiatives. It’s a flexible real-time process that responds to conditions as they change. The two main drawbacks are a lack of resources and a lack of buy-in from the police department. This creates a dynamic where young people who are involved in programs and positive activities are still being harassed and arrested by the police.

These programs are not a panacea. Research on their effectiveness is limited and shows mixed results. That is because they need the other parts of the solution to be in place as well. Without community-level changes in employment opportunities, adequate social services for young people with

serious life problems, and improved educational structures, no one program can end the violence. There must be a holistic approach that begins by reducing our reliance on the criminal justice system and building political power to demand more comprehensive and less-punitive solutions.

- 59 Glenn Greenwald, *Drug Decriminalization in Portugal: Lessons for Creating Fair and Successful Drug Policies* (Washington, D.C.: Cato Institute, 2009).
- 60 Drug Policy Alliance, *Supervised Injection Facilities* (New York: Drug Policy Alliance, 2016).
- 61 Michael Reznicek, *Blowing Smoke: Rethinking the War on Drugs without Prohibition and Rehab* (Lanham, MD: Rowman & Littlefield, 2012).
- 62 Garriott, *Policing Methamphetamine*.
- 63 Ta-Nehisi Coates, “The Case for Reparations,” *Atlantic*, June 2014.

## 8 Gang Suppression

- 1 Charles Katz and Vincent Webb, “Police Response to Gangs: A Multi-Site Study,” (Washington, DC: National Institute of Justice, 2004).
- 2 Federal Bureau of Investigation, “Violent Gang Task Forces,” n.d.
- 3 Malcolm Klein, *Gang Cop: The Words and Ways of Officer Paco Domingo* (Lanham, MD: AltaMira Press, 2003).
- 4 Megan Garvey and Patrick McGreevy, “LA mayor seeks federal aid to combat gangs,” *LA Times*, January 4, 2007.
- 5 Joe Domanick, *Blue: The LAPD and the Battle to Redeem American Policing* (New York: Simon and Schuster, 2015), 65.
- 6 Ibid.
- 7 Jeffrey Reiman, *The Rich Get Richer and the Poor Get Prison: Ideology, Class, and Criminal Justice* (Boston: Pearson, 2007); William Chambliss, “The Saints and the Roughnecks,” *Society* 11, no. 1 (1973): 24–31.
- 8 Klein, *Gang Cop*.
- 9 Ibid.
- 10 Ibid.
- 11 Ibid.
- 12 Victor Rios, *Punished: Policing the Lives of Black and Latino Boys* (New York: NYU Press, 2011).
- 13 Susan Pennell and Roni Melton, “Evaluation of a Task Force Approach to Gangs,” *Responding to Gangs: Evaluation and Research* (Washington, DC: United States Department of Justice, National Institute of Justice, 2002).
- 14 Susan Phillips, *Operation Fly Trap: L.A. Gangs, Drugs, and the Law* (Chicago: University of Chicago Press, 2012).
- 15 Ana Muñiz and Kim McGilll. *Tracked and Trapped: Youth of Color, Gang Databases and Gang Injunctions* (Los Angeles: Youth Justice Coalition, 2012).
- 16 Ana Muñiz, *Police, Power and the Production of Racial Boundaries* (Brunswick, NJ: Rutgers University Press, 2015).
- 17 Beth Caldwell, “Criminalizing Day-to-Day Life: A Socio-Legal Critique of Gang Injunctions,” *American Journal of Criminal Law* 37, no. 3 (2010): 241–290.
- 18 K. Babe Howell, “Gang Policing: The Stop-and-Frisk Justification for Profile-Based Policing,” *University of Denver Criminal Law Review*: 5 (2015): 1–31.
- 19 US Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Best Practices to Address Community Gang Problems: OJJDP’s Comprehensive Gang Model* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, 2010).

- 20 David Kennedy, "Pulling levers: Chronic offenders, high-crime settings, and a theory of prevention." *Valparaiso University Law Review*: 31, no. 2 (1996): 449–484.
- 21 Jack Katz, *The Seductions of Crime: Moral and Sensual Attractions in Doing Evil* (New York: Basic Books, 1988).
- 22 Domanick, *Blue*.
- 23 Connie Rice, *A Call to Action: The Case for a Comprehensive Solution to L.A.'s Gang Violence Epidemic* (Los Angeles: Advancement Project, 2007).
- 24 Youth for Justice, "LA For Youth—1 Percent Campaign," n.d., [www.youth4justice.org](http://www.youth4justice.org).
- 25 Elliott Currie, *Crime and Punishment in America: Why the Solutions to America's Most Stubborn Social Crisis Have Not Worked—and What Will* (London: Macmillan, 1998).
- 26 Currie, *Crime and Punishment in America*.
- 27 Michael Fortner, *The Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment* (Cambridge: Harvard University Press, 2015).
- 28 Todd Clear and David Karp, *The Community Justice Ideal: Preventing Crime and Achieving Justice* (Boulder, CO: Westview Press, 1999).
- 29 Emily Badger, "How Mass Incarceration Creates 'Million Dollar Blocks' in Poor Neighborhoods," *Washington Post*, July 30, 2015.
- 30 David Kennedy, *Don't Shoot: One Man, A Street Fellowship, and the End of Violence in Inner-City America*. (New York: Bloomsbury, 2012).
- 31 Elizabeth Palley and Corey S. Shdaimah, *In Our Hands: The Struggle for U.S. Childcare Policy* (New York: NYU Press, 2014).
- 32 "Cure Violence," [cureviolence.org](http://cureviolence.org).
- 33 City of Minneapolis Health Department, *Minneapolis Blueprint for Action to Prevent Youth Violence* (Minneapolis: Department of Health, 2013).

## 9 Border Policing

- 1 *People v. Hall*, 4 Cal. 399 (1852).
- 2 Joseph Nevins, *Operation Gatekeeper and Beyond: The War on "Illegals" and the Remaking of the U.S.–Mexico Boundary* (Abingdon, UK: Taylor & Francis, 2010).
- 3 Kelly Lytle Hernandez, *Migra!: A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010).
- 4 Kitty Calavita, *Inside the State: The Bracero Program, Immigration and the INS* (New York: Quid Pro Books, 2010).
- 5 Hernandez, *Migra*, 172
- 6 US Customs and Border Protection, "Border Patrol Staffing by Fiscal Year," September 19, 2015.
- 7 Amanda Peterson Beadle, "Cost of a Broken System: US Spent More on Immigration than All Other Enforcement Agencies Combined," *ThinkProgress*, January 7, 2013.
- 8 Martha Menchaca, *Recovering History, Constructing Race: The Indian, Black, and White Roots of Mexican Americans*, (Austin: University of Texas Press, 2002).
- 9 *United States v. Brignoni-Ponce*, 422 U.S. 873 (1975).
- 10 American Civil Liberties Union, "The Constitution in the 100-Mile Border Zone," n.d.
- 11 David Horsey, "Border Patrol is becoming an occupying army in our borderlands," *Los Angeles Times*, August 20, 2013.
- 12 Nevins, *Operation Gatekeeper and Beyond*.