

The background features a stylized city skyline at the bottom with various building shapes in shades of blue and white. The sky is a solid blue color with several light blue, rounded cloud shapes scattered throughout. The main title is centered in large, bold, white text.

# Gang Involvement and Forensic Mental Health

Virtual Training – January 10, 2022

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# Presentation Overview

## Part I: My Story

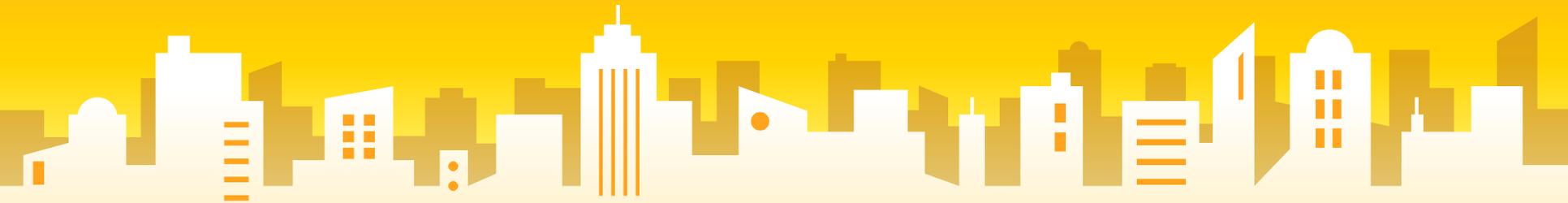
- I. Introduction & Table Setting
- II. Childhood, Family, Community & School
- III. Crime, Incarceration & Youth Justice
- IV. Re-Entry, Failures & Redemption
- v. So What?: Take-Aways

## I. Part II: Gangs and Youth Associations

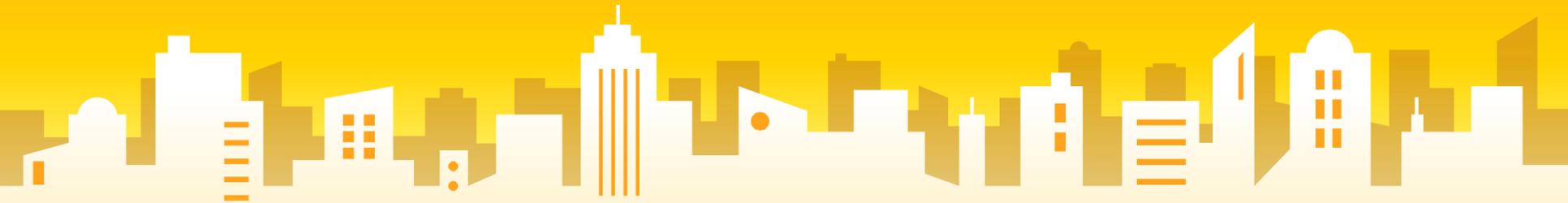
- II. What is a gang?
- III. The Numbers
- IV. Choices, Factors & Experiences
- V. International Perspectives
- VI. History and Social Context
- VII. Sources & Resources
- VIII. Question, Answers & Discussion

# Part 1. My Story

- I. Introduction & Table Setting
- II. Childhood, Family, Community & School
- III. Crime, Incarceration & Youth Justice
- IV. Re-Entry, Failures & Redemption
- V. So What?: Take-Aways



# Part 2: Gangs & Youth Associations



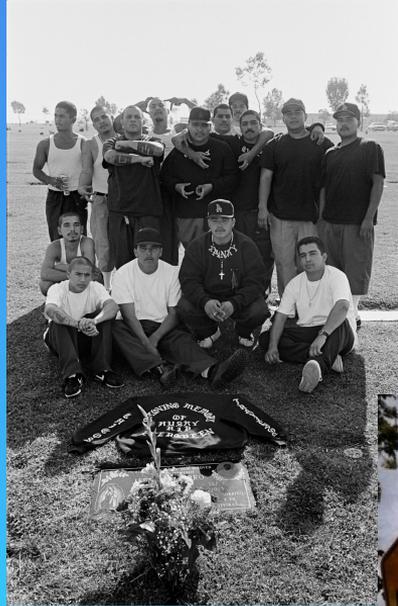
“

“There is no single, generally accepted definition of a ‘gang.’ State and local jurisdictions tend to develop their own definitions.”

-National Gang Center, Office of Justice Programs, DOJ

# What do we mean when we say a “gang”?

- Criminal gang
- Fraternity
- Motorcycle gang
- Organized crime group
- Police gang
- Prison gang
- Street gang
- Domestic terrorist gang
- Youth gang



BAD APPLES | SEPT. 4, 2020

## In L.A. County, Gangs Wear Badges

By Zak Cheney-Rice



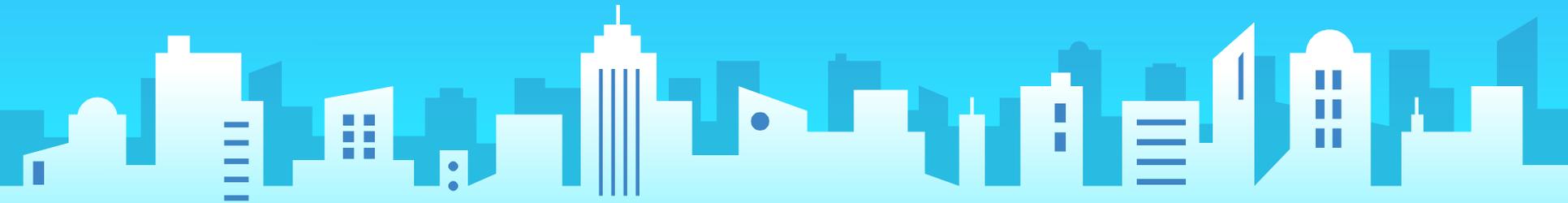
L.A. County Sheriff's deputies in riot gear. Photo: Mario Tama/Getty Images



## Words, Labels Matter

“The desperately romantic hyper-focus and labeling of gangs demonizes youth of color and distracts researchers from uncovering the underlying root causes of youth violence.”

-Estrada (2018)



# Legal Definition of Gang in CA

“Criminal street gang” means any 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 of the criminal acts enumerated... 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. (Cal. Penal Code § 186.22 (f)).

## CA Case Law on Determining Gang Membership

*People v. Sanchez* (2017) 18 Cal.App.5th 727

“Determining whether an individual is an active gang member presents a considerable risk of error. The informal structure of gangs, the often-fleeting nature of gang membership, and the lack of objective criteria in making the assessment all heighten the need for careful factfinding.” (*Rackauckas*, 734 F.3d at p. 1046.)

“...factors such as “jail/juvenile hall classifications,” “use of hand signs, symbols, words or phrases associated with the gang,” “wearing of gang attire or colors,” and “possession of gang tattoos,” do not necessarily and conclusively correlate to “active gang membership.” *Sanchez’s* gang expert noted that, in some instances, these factors signify neighborhood affiliation or loyalty to family members rather than active gang participation.”

## The Numbers

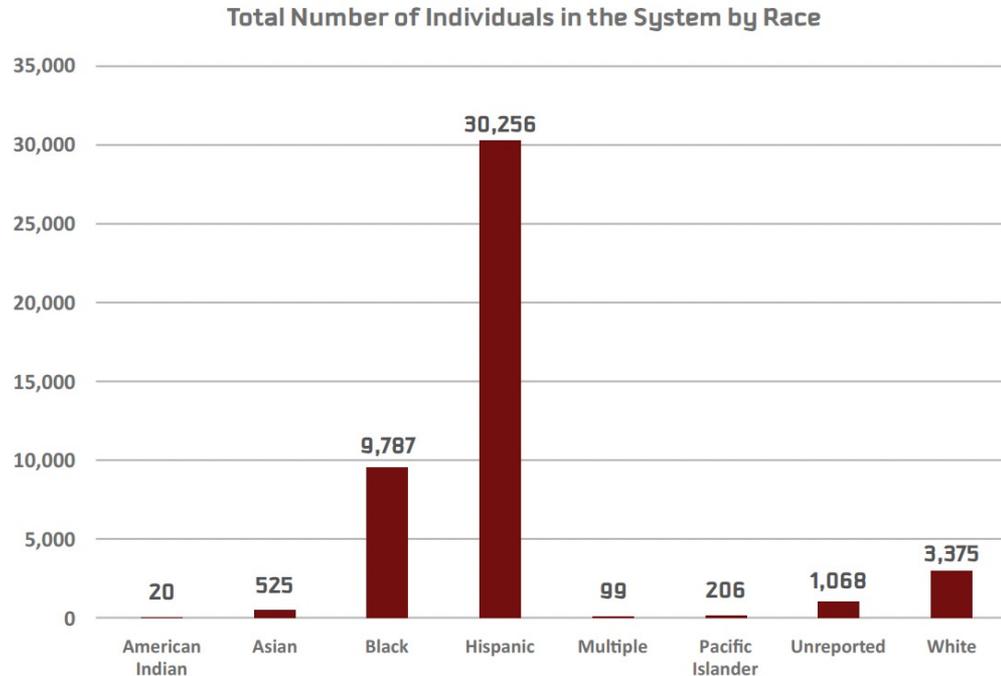
Nationally, the estimated number of youth in a gang in 2010

1,059,000

\* Pyrooz (2010)

Between October 1, 2019 – September 30, 2020  
There were 45,336 records (people) in CalGang database

illustrates the number of individuals\* in CalGang by race:



# The vast majority are male and people ages 18 - 45

Chart 1 illustrates the number of individuals\* in CalGang by sex:

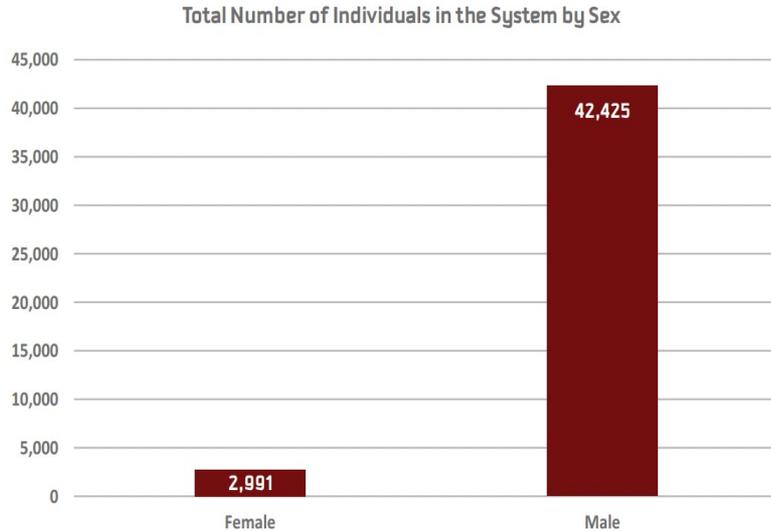
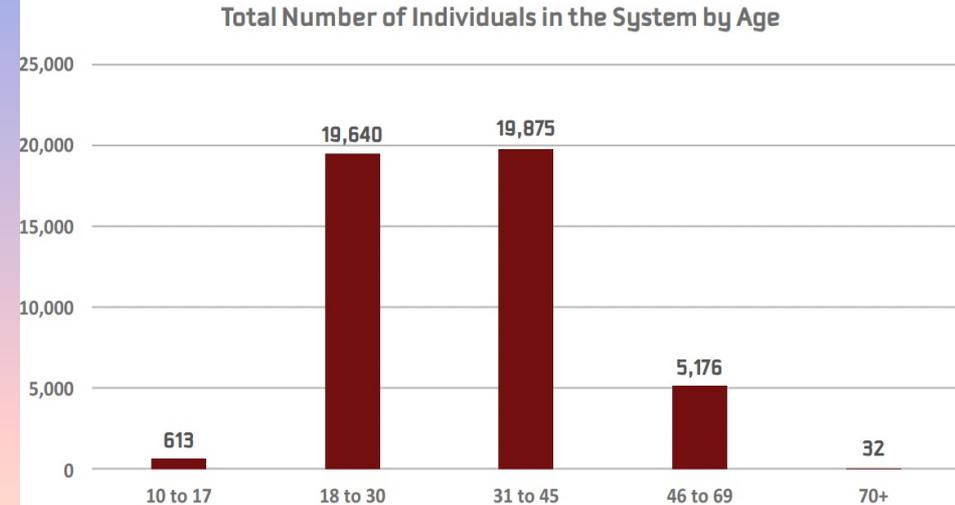


Chart 2 illustrates the number of individuals\* in CalGang by age:

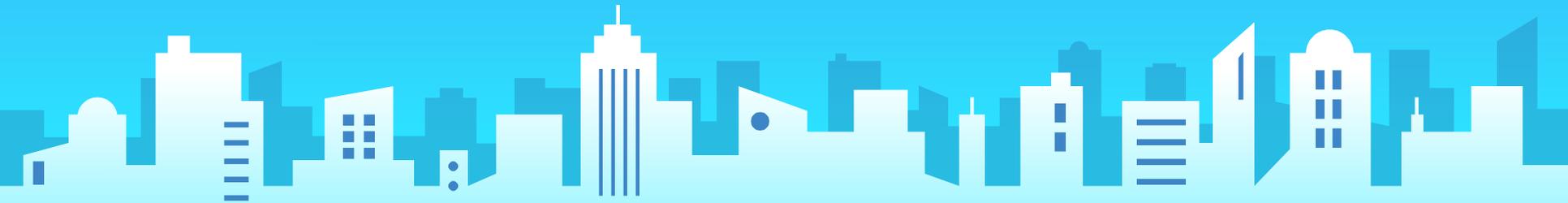


\*The youngest individual in the System is 13 years of age

## Why do so many youths join a gang?

“[G]angs often provide youth an opportunity to feel a part of a community of peers who can share love and support, nurture someone’s identity development and sense of validation, and provide a level of emotional fulfillment he or she is not receiving from their home setting.”

-Estrada (2018)



# Precursors to Gang Membership

## Childhood Predictors of Joining and Remaining in a Gang, SSDP Sample

Ch

Risk Factor	Odds Ratio*	Risk Factor	Odds Ratio*
<b>Neighborhood</b>		<b>Individual</b>	
Availability of marijuana	3.6	Low religious service attendance	ns <sup>‡</sup>
Neighborhood youth in trouble	3.0	Early marijuana use	3.7
Low neighborhood attachment	1.5	Early violence <sup>§</sup>	3.1 (2.4)
<b>Family</b>		Antisocial beliefs	2.0
Family structure <sup>†</sup>		Early drinking	1.6
One parent only	2.4	Externalizing behaviors <sup>§</sup>	2.6 (2.6)
One parent plus other adults	3.0	Poor refusal skills	1.8
Parental attitudes favoring violence	2.3		
Low bonding with parents	ns <sup>‡</sup>		
Low household income	2.1		
Sibling antisocial behavior	1.9		
Poor family management	1.7		
<b>School</b>			
Learning disabled	3.6		
Low academic achievement	3.1		
Low school attachment	2.0		
Low school commitment	1.8		
Low academic aspirations	1.6		
<b>Peer group</b>			
Association with friends who engage in problem behaviors <sup>§</sup>	2.0 (2.3)		

\* Odds of joining a gang between the ages of 13 and 18 for youth who scored in the worst quartile on each factor at ages 10 to 12 (fifth and sixth grades), compared with all other youth in the sample. For example, the odds ratio for “availability of marijuana” is 3.6. This means that youth from neighborhoods where marijuana was most available were 3.6 times more likely to join a gang, compared with other youth.

† Compared with two-parent households.

‡ ns = not a significant predictor.

§ These factors also distinguished sustained gang membership (i.e., more than 1 year) from transient membership (1 year or less). For each factor, the number in parentheses indicates the odds of being a sustained gang member (compared with the odds of being a transient member) for youth at risk on that factor.

Karl G. Hill, Christina Lui, and J. David Hawkins. “Early Precursors of Gang Membership: A Study of Seattle Youth,” *Juvenile Justice Bulletin*, Office of Juvenile Justice and Delinquency Prevention (December 2001).

## What are the risk factors for gang membership?

Gang research scholars have discovered a multitude of risk factors that are statistically linked to gang joining, typically grouped into five categories (called “domains”):

(1) individual, (2) family, (3) school, (4) peer, and (4) neighborhood/community.

Importantly, however, these extensive research studies have demonstrated that there is no one risk factor (or even domain) responsible for gang joining; rather, it is the *accumulation* of multiple risk factors across multiple domains that greatly increases gang joining.

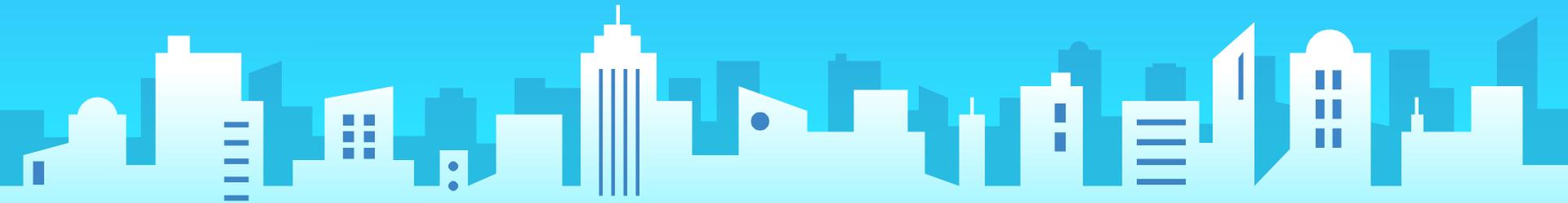
It is far more profitable, then, to assess (and ultimately address) the collection of risk factors across the five social domains to prevent gang joining.

-National Gang Center

## How long do youths stay in the gang?

For the majority of youth who join a gang, the average amount of time they remain active in the gang is *one to two years*, and fewer than 1 in 10 gang members report involvement for four or more years.

-National Gang Center



## Common Misconceptions

“It is assumed by most laypersons, public officials, and law enforcement officers that street gangs are well organized - cohesive, hierarchically led, with clear codes of conduct..”

In most street gangs, leadership is ephemeral, turnover is often high, and cohesiveness only moderate..”

“Many street gangs are more a loose collection of cliques or networks than a single, coherent whole..”

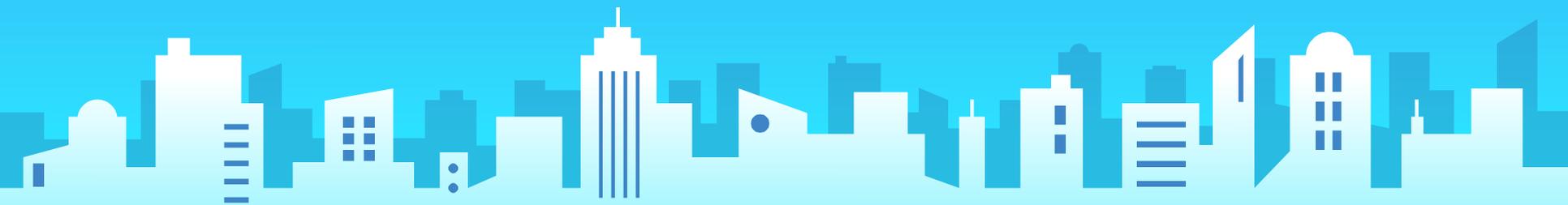
“Median individual membership lasts only about a year. “

-Klein and Maxson, *Gang Structures*, in *The Modern Gang Reader* (Maxson, et al. edits, 4th ed. 2014).

## Why and how do youth leave a gang?

- Reasons include growing out of the gang life; disillusionment with the gang life; settling down, getting stable job, family needs; experiencing gang violence; and future risk of being a victim of gang violence.
- Desisting from gang membership is best described as gradual, taking place over an extended period of time.
- The available evidence demonstrates that most individuals stated that they left the gang without the fear or experience of physical consequences from the gang.

-National Gang Center



## International definition of “youth gangs”

“Youth gangs represent a spontaneous effort by children and young people to create, where it does not exist, an urban space in society that is adapted to their needs, where they can exercise the rights that their families, government, and communities do not offer them. Arising out of extreme poverty, exclusion, and a lack of opportunities, gangs try to gain their rights and meet their needs by organizing themselves without supervision and developing their own rules, and by securing for themselves a territory and a set of symbols that gives meaning to their membership in the group. This endeavor to exercise their citizenship is, in many cases, a violation of their own and others’ rights, and frequently generates violence and crime in a vicious circle that perpetuates their original exclusion. This is why they cannot reverse the situation that they were born into. Since it is primarily a male phenomenon, female gang members suffer more intensively from gender discrimination and the inequalities inherent in the dominant culture.”



General Secretariat of the  
Organization of American States

DEPARTMENT OF PUBLIC SECURITY

### DEFINITION AND CLASSIFICATION OF GANGS

#### Executive Summary



Washington, DC, June 2007

## International view on gangs & responses

“It was understood that the classification should not only reflect the reality..., but also ‘decriminalize’ a very sizeable number of children and youth who are at present viewed, categorized, and even stigmatized as dangerous delinquents, a “label” that consigns them to the most profound and irreversible exclusion in an utterly flagrant violation of their universally recognized basic rights. These rights must be preserved, protected and promoted, and it is the responsibility of the state, family, and community to do so.

“In the United States there has been an intensive review of gang laws in recent years at both the federal and the state level, which has given rise to an explosion of repressive punitive measures against youth.”

- General Secretariat of the Organization of American States

## Individual/personal versus structural causes

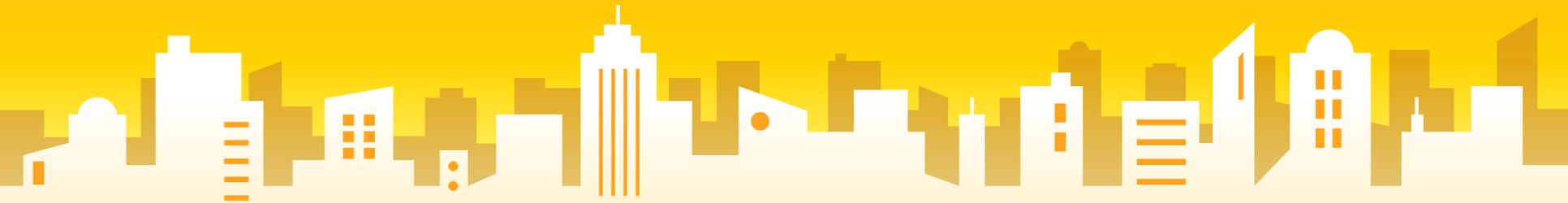
“Most researchers are in accord that major macro-historical and macrostructural forces formed the backdrop to street gangs. The causation debate becomes contentious and heated when the focus is on the intermediate and microlevels of analysis. Especially controversial are the conservative (causation rooted in subjects’ deficiency in moral values) and progressive (structural causation) positions.

-Vigil (2020)

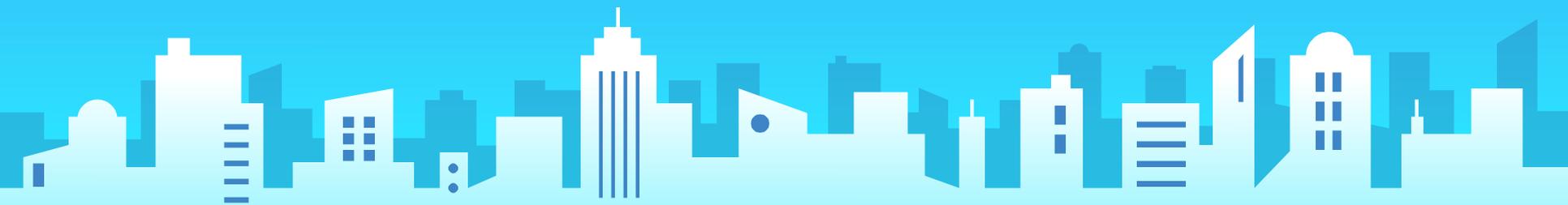
# Ethnohistorical Considerations

“Chicanos and Chicanas in the United States have experienced a double standard of justice with one system applied to Anglo-Americans and another to Mexicans. Such differential legal and judicial treatment has resulted in a legacy of conflict involving displacement from land and criminalization albeit experiencing victimization from the state. Thus, an awareness of history, colonization, and demographics provide a base for examining the patterns involving Latinas/os and gangs.”

-Duran 2018



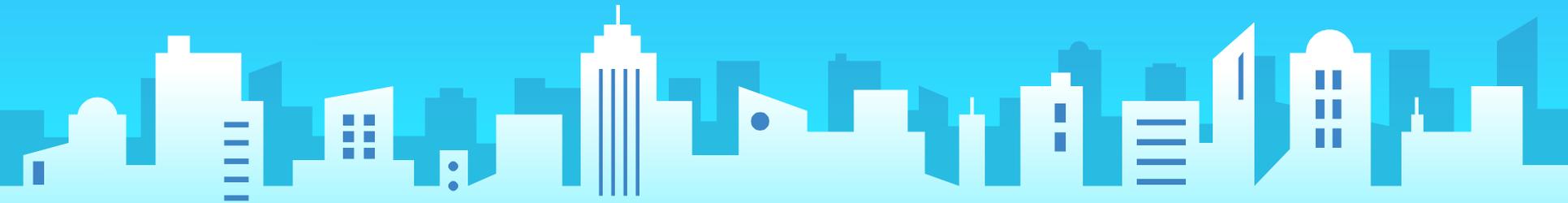
[Play Video](#)



## A History of Criminalizing

“The view of Chicanos as criminals has its origin in the *Bandido* image that evolved during the 19<sup>th</sup> century, but it was not until the 1940s that Chicano criminality came to be closely associated with Chicano youth gangs and, eventually, with drugs.”

-Mirandé (1987)



## Criminalization of Brown Youth

“A common theme across these studies is that Latino/a youth often feel criminalized due to perceptions on the part of teachers, police officers, and others that Latino/a youth are involved in gangs. Thus, friends can create shared meanings based upon perceptions of belonging, but school officials and authority figures can use perceived identities to implement greater oversight and punishment.”

-Duran (2018)

## “Human Targets”

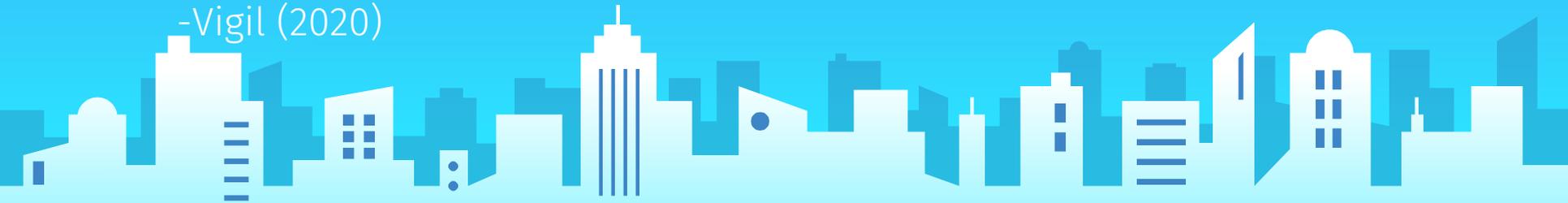
“[S]ome young people in the inner city grow up policed and punitively controlled by schools, parents, law-enforcement, and others. I demonstrated how punishment operates as a social fabric of everyday life for marginalized young men. These young people experienced a kind of social death; they were outcasts before they even committed their first offense. This kind of targeting creates a system that metes out brutal symbolic and physical force on young people. In essence, young people become targets for police schools and other systems of social control to aim punitive resources and treatment at.”

-Rios (2017)

“Poverty, discrimination, and self-choice helped create Mexican barrios, but the effects of urbanization – along with poor city planning and neglectful and uncaring authorities – made the barrios an ecological inferior place to raise a family.”

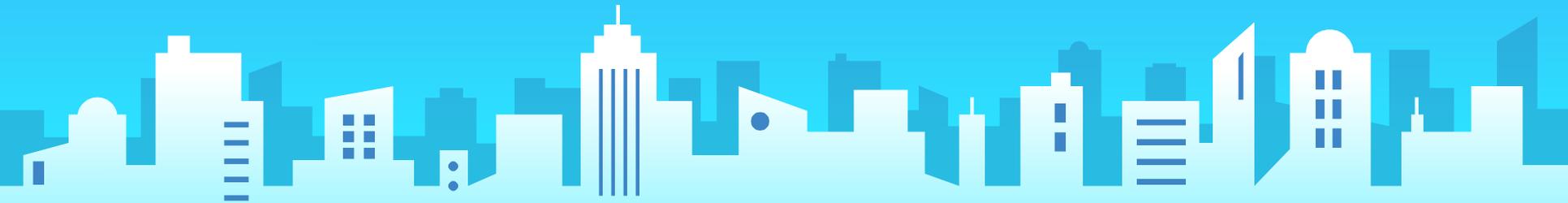
“With their options severely compromised, residents’ ability to improve their lives is near impossible; barrios become pressure cookers with no way out. Without any change or interventions, children growing up under these conditions face overwhelming challenges. In this context gangs become a street created medium and vehicle to cultivate and vent aggression..

-Vigil (2020)



In a settler colonial society, genocide can operate by creating the conditions and allowing for the self-destruction of indigenous groups. Marginalized groups who cannot be eliminated experience deportation and criminalization.”

-Duran (2018)



“

“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; the only thing that is equally boring is being a researcher watching gang members.”

-Malcolm Klein (1995). *The American street gang: It's nature, prevalence, and control.*



# Sources and Resources

## ★ Books

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# Questions, Answers, and Discussion

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