



Public Advocate for the City of New York

Old Problem, New Eyes: Youth Insights on Gangs in New York City

**A WORKING PAPER BY PUBLIC ADVOCATE BETSY GOTBAUM
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Introduction

Despite the fact that New York City, the largest city in the country, continues to enjoy low crime rates, violent crimes committed by juveniles, including murder, rose 11 percent from 2005 to 2006.¹ Typically, from year to year, this statistic fluctuates by two percent. Additionally, the New York City Department of Education (NYCDOE) reported a spike of 21 percent in “major crimes” in the public schools during the first four months of Fiscal Year 2007.²

One important subset of the larger problem of youth violence is crimes related to gangs. There is evidence that as youth violence has increased in New York City so has gang activity. The New York City Police Department (NYPD) reported a 62 percent increase in the number of “gang-motivated incidents” during the same four-month period in Fiscal Year 2007 in which major crimes at public schools were on the rise.³

Public officials, elected officials, police officers, journalists, and researchers all have different views of the issue of gang violence.⁴ The one perspective that is almost always omitted from the discussion of gangs is the youth perspective. In recognition of this omission, this summer, the Office of the Public Advocate surveyed youth about gangs in New York City.

This paper includes a brief history of gangs in New York City, a discussion of what defines a gang and gang membership, a brief review of major anti-gang legislation under consideration, and the findings of the survey. One significant finding was that respondents for the most part do not believe the city should expand the use of law enforcement in its response to gang activity.

In the coming months, the Office of the Public Advocate will hold a series of roundtable discussions with students, educators, community leaders, elected officials, and city officials on the issue of gang violence. The purpose will be to bring together a variety of perspectives—with an emphasis on the youth perspective—and to work towards practical recommendations for addressing the problem of gangs in New York City.

A Brief History of Gangs in New York City

Dating back to the 1820s, the Forty Thieves of New York is thought to be the first youth street gang in America, though some historians believe American street gangs existed in pre-revolutionary days.⁵ In the late 1800s, the Bowery Boys, Dusters, Kerryonians, Plug-Uglies, Roach Guards, and Shirt Tail gangs, among others, emerged from the Five Points area of downtown Manhattan. Gang activity, or at least public attention to gang activity,

¹ Mayor’s Office of Operations, *Mayor’s Management Report* (MMR), September 2006.

² Mayor’s Office of Operations, *Preliminary Mayor’s Management Report* (PMMR), February 2007.

³ *Ibid.* The recently released Mayor’s Management Report 2007 shows a 29 percent increase in “gang-related incidents” from FY 2006 to FY 2007.

⁴ Soulliere, N., “*Youth Gangs: Various Views, Random and Varied Strategies*,” The Research Centre: Canadian Police College, 1998.

⁵ Sheldon, R. G., et al., *Youth Gangs in American Society*, Toronto: Thompson Wadsworth, 2004.

waned from the start of the 20th century until after World War II but picked up again in the 1950s.

Gang activity in New York City reached its pinnacle from the 1950s to the late 1970s as the city experienced mass migrations of Latinos from Puerto Rico and African Americans from the South.⁶ Upon arrival, these groups clashed with each other and with Italians and Irish and other poor white ethnic groups. Each group took up residence in specific, ethnically segregated neighborhoods, carving out “turf” in what was a rapidly changing city. Some of the more notable gangs of this era were the Chamberlains, the Mau Mau’s, the Baldies, Pagans, Nordics, Boca Chicas, and Imperial Lords.

The most prominent gangs in New York City today are the Bloods, Crips, Latin Kings, and MS-13. The New York iteration of the Bloods was formed in the mid-to-late 1990s by African Americans in Rikers Island jail seeking protection from the Latin Kings.⁷ The Crips, by some accounts, arrived in New York City in the late 1980s by way of Belize.⁸ There is no evidence that either the New York Crips or Bloods are associated with their older counterparts in Los Angeles. The New York Latin Kings was founded in 1986 by Luis Felipe, a prisoner at Collins correctional facility in upstate New York. In the 1990s the NYPD and FBI labeled the Latin Kings the most violent gang in New York City.⁹ Under the leadership of Antonio “King Tone” Fernandez, however, the Latin Kings changed their name to the Almighty Latin Kings and Queens (ALKQN) and attempted to recast themselves as a political street organization modeled on the Black Panthers and the Young Lords.¹⁰ MS-13 or Mara Salvatrucha (slang for “shrewd person”) is made up primarily of Salvadorian immigrants who came to L.A. during the Salvadorian Civil War (1980-1992). More recent Salvadorian immigrants affiliated with MS-13 have spread to other areas of the country including Suffolk County, Long Island, Newark, New Jersey, and the Flushing area of Queens.¹¹

Gangs and Gang Members

One of the most contentious issues in the study of youth crime is the definition of a gang.¹² In what is widely considered the first text on gangs, *The Gang* (1927), Frederick Thrasher defined the gang as “an interstitial group originally formed spontaneously, and then integrated through conflict.”¹³ Gang researcher John Hagedorn notes that in the

⁶ Schneider, E., (1999). *Vampires, Dragons and Egyptian Kings: Youth Gangs in Postwar New York*, New Jersey: Princeton University Press.

⁷ See 5.

⁸ East Coast Association of Gang Investigators, Inc., www.gripe4rkids.org/crips.html.

⁹ *Ibid.*

¹⁰ From the documentary, “Black and Gold: Latin King and Queen Nation,” *A Big Noise Film*: 1999.

¹¹ MS-13 is more prevalent in areas of Long Island and New Jersey and in New York City is found almost exclusively in Eastern Queens and some parts of the Bronx. However, a recent *Time* magazine article labeled MS-13 the “most dangerous gang in America” and cited several high-profile incidents of violence associated with the gang.

¹² Miller, W. B., “The Growth of Youth Gang Problems in the United States: 1970-1998,” Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Office of Justice Programs, Washington, D.C., April 2001.

¹³ Thrasher, Frederic, *The Gang: a Study of 1,313 Gangs in Chicago*, Chicago: University of Chicago Press, 1927.

1950s, 60s, and 70s the definition shifted to emphasize the criminal behavior of gang members, effectively making the definition of a gang a law enforcement issue.¹⁴

The New York City Police Department defines a gang as “a group of persons, with a formal or informal structure that includes designated leaders and members, that engages in or is suspected of engaging in unlawful conduct.” (See Appendix B for legal definitions of a “gang” and “gang member”).

In recent years, researchers have returned to the Thrasher definition in recognition of the fact that “ganging” is a social activity in which all adolescents are involved to some degree.¹⁵ The central problem addressed by much current gang research is determining at what point the typical behavior—delinquent and otherwise—of groups of adolescents ends and gang activity begins. *Youth Gangs in American Society* poses a series of questions that illustrate this fundamental problem: “If four youths are standing on the corner or simply walking down the street, is this a gang? If these same youths hang out together frequently and occasionally engage in deviant activity, does this mean they are a gang? Or, if a youth lives in a neighborhood inhabited by gangs (but no one considers him a gang member), just happens to be passing time on a street corner with a gang member he has known for several years...is he therefore considered a gang member?”¹⁶

The difficulty of these questions is indicative of the judgments law enforcement officials are often expected to make and underscores the possibility of misidentifying young people as gang members. *Youth Gangs in American Society* warns of the risk of falsely identifying youth as gang members on the basis of stereotypes.

The results of the 2004 National Youth Gang Survey, the most current survey available, indicate that there are approximately 750,000 gang members and 24,000 gangs located in 2,900 different jurisdictions across the country.¹⁷

For the most part, gangs have always been homogenous groups, and this is still true today. The vast majority of gangs are made up of African American and Latino youth between the ages of 8 and 23.¹⁸ There are also Vietnamese, Chinese, Cambodian, Filipino, Korean, and white gangs. In New York City, gang members typically live in neighborhoods that are isolated from the commercial centers of the city, such as Brownsville, East New York, Bushwick, East Harlem, Jamaica, and the South Bronx. These neighborhoods are plagued by poverty, deteriorating infrastructure, failing schools, and scarce employment opportunities.

¹⁴ Website of University of Illinois-Chicago Professor John Hagedorn, <http://gangresearch.net/Archives/hagedorn/articles.html>.

¹⁵ *Ibid.*

¹⁶ Sheldon, R. G., et al., *Youth Gangs in American Society*, Toronto: Thompson Wadsworth: 2004.

¹⁷ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, “Highlights of the 2004 National Youth Gangs Survey,” 2004.

¹⁸ *Ibid.*

Gangs typically lack a formal order or code. The typical street gang amounts to an unstructured cluster of cliques, sets, pairs, loners, and “wannabes.”¹⁹ (See Appendix C for definitions of these terms). Gang members range from the “hardcore,” who are strongly attached to the gang and have few interests outside the gang to “situation members,” who join the gang only for certain activities, and “auxiliary members” who hold limited responsibility within the gang. It is important to note that the vast majority of gang-age youth who live in neighborhoods with gangs do not become members themselves.

Major Anti-Gang Legislation Under Consideration

The Gang Abatement and Prevention Act of 2007 (H.R. 1582 and S. 456), which will be considered by Congress this fall, would, if enacted, greatly expand the role of the federal government in the prosecution of gang members and add the following measures:

- Make gang recruitment a new crime punishable by up to 10 years in jail.
- Make the commission of two gang-related street crimes punishable by up to 30 years in jail.
- Make it easier for prosecutors to try 16-year-olds as adults by establishing more severe penalties for youth identified as gang members.
- Require that gang members be given separate consecutive sentences for being gang members and for committing violence as part of a gang.
- Provide grants for private-sector entities to perform gang prevention programming.
- Provide grants to governments and non-profit agencies for programs to combat juvenile delinquency.²⁰

According to the Congressional Budget Office, the bill would include a spending package of \$1.1 billion, of which nearly \$900 million would go to the law enforcement measures listed in the first four bullets above.²¹

Similar legislation has been introduced in both the New York City and State legislatures. Last spring the New York State Law Enforcement Council—comprised of the Attorney General for New York, Criminal Justice Coordinator of New York City, and Citizens Crime Commission of New York City, among others—issued a series of recommendations to the state legislature in collaboration with the State of New York Commission of Investigation. The recommendations included the following:

- Increased penalties for gang-related crimes;
- Additional resources for law enforcement including the authorization of roving wiretaps;
- Criminalization of gang recruitment.

¹⁹ Klein, M.W., *The American Street Gang: Its Nature, Prevalence, and Control*, New York: Oxford University Press: 1995.

²⁰ The Gang Abatement Act of 2007, 110th Congress 1st Session, January 31, 2007.

²¹ Congressional Budget Office Cost Estimate, *S.456 Gang Abatement Act*, July 2007.

These recommendations have been introduced at the state level in both the Assembly and the Senate through a series of bills.²² The majority of bills introduced at the state level in the last three years focus on law enforcement. There are some, however, that focus on or include preventive and non-law-enforcement approaches to gangs. For example A5649 and A9895 require that all New York State teachers receive gang awareness training as part of their certification process. Bills A6294, A551, and S3863 include preventive measures.

Resolutions in support of specific state bills that call for stiffer penalties for gang activity and enhanced law enforcement have been introduced in the New York City Council (R0268, R0144, R0800, R1692, and R1471). Other legislation introduced in the Council aim to criminalize gang recruitment and loitering by gang members (Introductions 183, 458, 152, and 364). Resolutions in support of preventive approaches to gangs (R0056 and R0630) have also been introduced in the Council.

Methodology

At the end of each school year more than 40,000 youth between the ages of 14 and 21 from around the city are provided summer jobs through the Summer Youth Employment Program (SYEP). The program is administered by the Department of Youth and Community Development (DYCD). SYEP predominantly employs youth from low-income families.²³ More than three quarters of SYEP employees are non-white.²⁴

At the end of June and beginning of July 2007, the various partners in the SYEP (e.g. New York City Housing Authority, New York City Department of Parks and Recreation, New York City Department of Health and Mental Hygiene, Alianza Dominicana, J.P. Morgan Chase, etc.) host job interview and registration events for prospective employees. The Office of the Public Advocate sent representatives to three registration centers—the New York City Housing Authority (NYCHA) office in Lower Manhattan, LaGuardia Community College in Queens, and the Alianza Dominicana office in Harlem—to survey youth waiting to register. These sites register students from every borough. The Office of the Public Advocate also sent representatives to survey students at summer school sites at John Jay High School in Brooklyn, Adlai Stevenson High School in the Bronx, and George Washington High School in Manhattan.

The seven-question survey was administered face-to-face. Respondents remained anonymous. Representatives approached youth standing in lines or waiting in waiting rooms. The Office of the Public Advocate collected a total of 348 responses. (See Appendix A for the survey questions.)

²² The list of bills in the NYS Senate and Assembly include: S6588, A6405, A6294, A10122, S6586, A8321, S6578, A10124, S1032, A10123, S6580, A8155, S7208, A1627, S1637, A11334, A1120, A1682, A1687, A1688, A1722, A2086, A2428, A4200, A4562, A4755, S1440, S1452, S1724, S1739, S2505, S2521, S2877, S3077, S3832, S3863, S3872, S4381, S5594.

²³ Report by the Center for an Urban Future, “Summer Help,” June 2007.

²⁴ Department of Youth and Community Development, “SYEP Annual Report,” 2006.

Findings

Approximately two-thirds (233) of all respondents believed that there are more gangs than there used to be. Some believed that there were not more gangs but more “sets” or “cliques” of the same gang.²⁵

More than one-third (128) of all respondents considered gangs a problem in their schools. Almost half (166) considered gangs a problem in their neighborhood.

More than two-thirds of all respondents (236) stated that they noticed people in their school wearing gang colors or sporting some type of accessory, such as “flags,”²⁶ identifying them as gang members.

Nearly half (169) of all respondents said there was tagging and graffiti in their school. More than two-thirds (237) of all respondents said there was tagging and graffiti in their neighborhood.

The majority of respondents (184) used negative words like “violence” and “crime” to define a gang. One hundred and forty-one respondents defined gangs simply as a group of people that “hang” or “chill out.” Twenty respondents (about 6%) had a positive definition that included the idea of “family” and “looking out for one another.” Nearly all respondents defined a gang as a group of people.

The majority of respondents (271) were ambivalent about why people join gangs. Many respondents (113) said people join gangs in response to “problems at home,” including “abuse” and “neglect.” Ninety-four respondents believed people join for “protection” or “safety.” Forty-four cited peer pressure, and 12 said people joined out of a sense of boredom or having “nothing else to do.”

The most common recommendation for preventing youth from becoming involved with gangs (58) was for the city to provide more summer jobs and programs. Programs mentioned included “after-school,” “community centers,” and general programs to “keep kids active.” Twenty-eight respondents believed that “nothing could be done” and that “there will always be gangs.” Twenty-seven respondents believed the police should do more. (Only 149 youth responded to this question.²⁷)

²⁵ This was a difficult question for some respondents because surveyors provided no context for the phrase “used to be.”

²⁶ A flag is a handkerchief, usually red (Bloods), blue (Crips), white (Netas), or yellow and black (Latin Kings).

²⁷ Two different surveys—one with question 7 and one without—went to different SYEP and school sites, accounting for the smaller response.

Next Steps

In the coming months, the Office of the Public Advocate will hold a series of roundtable discussions with students, educators, community leaders, elected officials, and city officials on the issue of gang violence. The purpose will be to bring together a variety of perspectives—with an emphasis on the youth perspective—and to work towards practical recommendations for addressing the problem of gangs in New York City.

Appendix A—Survey Questions

1. What is the definition of a gang?
2. Why do you think people join gangs?
3. Is there gang tagging or graffiti in your school? What about your neighborhood?
4. Do people in your school wear gang colors, have tattoos, or wear clothing identifying them as gang members?
5. Would you consider gangs a problem in your school? What about in your neighborhood?
6. Do you feel that there are more gangs than there used to be?
7. What do you recommend the city do to prevent gangs from becoming a problem?

Appendix B—Legal Definitions of “Gang” and “Gang Member”

U.S. Code – Title 18, Part I, Chapter 26

§ 521 (a) Definitions.—

“criminal street gang” means an ongoing group, club, organization, or association of 5 or more persons—

(A) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subsection (c);

(B) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subsection (c); and

(C) the activities of which affect interstate or foreign commerce.

“State” means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

New York State – Article 120, Part 3

§ 120.06 Gang assault in the second degree and

§ 120.07 Gang assault in the first degree

A person is guilty of gang assault in the second degree when, with intent to cause physical injury to another person and when aided by two or more other persons actually present, causes serious physical injury to such person or to a third person.

New York City – As defined by the New York City Police Department

Gang: A group of persons, with a formal or informal structure that includes designated leaders and members, that engages in or is suspected of engaging in unlawful conduct.

Gang-Related Incident: Any incident of unlawful conduct by a gang member or suspected gang member.

Gang-Motivated Incident: Any gang-related incident that is done primarily:

- 1) To benefit or further the interest of a gang; or
- 2) As part of an initiation, membership rite or act of allegiance of support for a gang; or
- 3) As a result of a conflict or fight between gang members of the same or different gangs.

Appendix C – Glossary

Types of gang members from *Youth Gangs in American Society*:

Regular/Hardcore – Those who are strongly attached to the gang, participate regularly, and have few interests outside the gang (in other words, the gang is practically their whole life).

Peripheral members (a.k.a. associates) – Those who have a strong attachment to the gang but participate less often than the regulars because they have interests outside the gang.

Temporary members – Those who are only marginally committed, join the gang at an older age than the regulars and associates, and remain in the gang only a short period of time.

Situation members – Those who are very marginally attached and join the gang only for certain activities (avoiding more violent activities when possible).

At risk – Those who are not really gang members but are pre-gang youth who do not yet belong to the gang but have shown some interest.

Wannabe – A term gangs themselves often use to describe “recruits” who are usually in their preteen years and know and admire gang members.

Veteranos/O.G.s or Original Gangsters – Usually men in their 20s or 30s (or, in some cases, much older) who still participate in gang activities.

Auxiliary – Members who hold limited responsibility within a gang.

Gang classifications from *Youth Gangs in American Society*:

Hedonistic/social gangs – Involved mainly in using drugs and having a good time, with little involvement in crime, especially violent crime.

Party gangs – Relatively high use and sale of drugs, but with only one major form of delinquency (vandalism).

Instrumental gangs – Main criminal activity is committing property crimes (most use drugs but seldom sell them).

Predatory gangs – Heavily involved in serious crime (e.g. robberies and muggings) and the abuse of addictive drugs such as crack; some have much lower involvement in drug use and drug sales than the party gang; some are involved in the sale of drugs but not in an organized fashion.

Scavenger gangs – Loosely organized groups of youths preying on the weak in the inner cities, engaging in petty crimes and sometimes violence, often just for fun.

Serious delinquent gangs – Heavily involved in both serious and minor crimes, but with much lower involvement in drug use and drug sales than party gangs.

Territorial gangs – Associated with specific area or “turf” and, as a result, get involved in conflict with other gangs over their respective turf.

Organized/corporate gangs – Heavy involvement in all kinds of crime, including the use and sales of drugs; may resemble major corporations, with separate divisions handling sales, marketing, discipline, and so on; discipline is strict and promotion is based on merit.

Drug gangs – Smaller than other gangs, much more cohesive, focused on the drug business, with strong centralized leadership and market-defined roles.

Many prefer to describe the above gangs (except drug gangs) by using the term *street gang*. This is an all-inclusive term that refers to most of the types of gangs described above.