
Volume 31

Number 2 *Symposium on Juvenile Crime: Policy
Proposals on Guns & Violence, Gangs, & Drugs*

pp.485-500

*Symposium on Juvenile Crime: Policy Proposals on Guns & Violence,
Gangs, & Drugs*

Guns, Drugs, and Violence: Kids on the Streets of Kansas City

Mark. S. Fleisher

Follow this and additional works at: <https://scholar.valpo.edu/vulr>



Part of the [Law Commons](#)

Recommended Citation

Mark. S. Fleisher, *Guns, Drugs, and Violence: Kids on the Streets of Kansas City*, 31 Val. U. L. Rev. 485 (1997).

Available at: <https://scholar.valpo.edu/vulr/vol31/iss2/10>

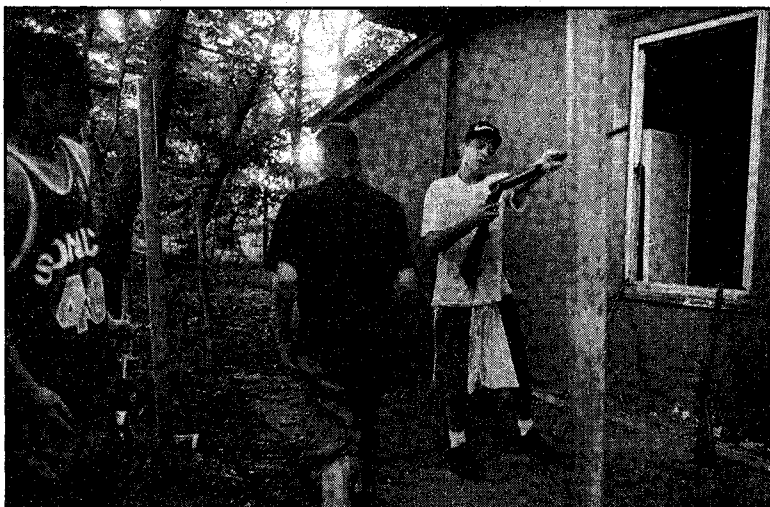
This Symposium is brought to you for free and open access by the Valparaíso University Law School at ValpoScholar. It has been accepted for inclusion in Valparaíso University Law Review by an authorized administrator of ValpoScholar. For more information, please contact a ValpoScholar staff member at scholar@valpo.edu.



GANGS

GUNS, DRUGS, AND VIOLENCE: KIDS ON THE STREETS OF KANSAS CITY

MARK S. FLEISHER*



©Eugene Richards

Fremont Street Hustlers, Kansas City, 1995.

"We Ghetto Babies. We Don't Get No
Special Treatment."¹

I. INTRODUCTION

This Article offers recommendations to control the burgeoning problem of youth gangs and gang-related violence. These recommendations are based on data collected in a long-term field study of the male and female adolescents in a Kansas City, Missouri, youth gang who call themselves the Fremont Hustlers.

* Associate Professor, Department of Criminal Justice Sciences, Illinois State University.

1. Poodle Bitch, a 16-year-old Fremont Hustler.

Fremont Avenue is a narrow, north-south street on Kansas City's eastside. Fremont, as the Fremont Hustlers call themselves, has become a dominant and disruptive force. The Kansas City Police Department has identified Fremont as one of the city's most "active" gangs.²

Youth gangs are a national problem. The National Institute of Justice reported there were 555,181 gang members in 16,643 gangs who committed nearly 600,000 gang-related crimes in 1993.³ The Department of Justice, Office of Juvenile Justice and Delinquency Prevention reported that in 1993 there were nearly 1.5 million delinquency cases processed by juvenile courts: 54.2% were property crimes (burglary, larceny, vandalism, among others); 21.4% were crimes against persons (robbery, aggravated and simple assault, rape); 18.3% were public disorder offenses (obstruction of justice, disorderly conduct, weapon offenses, among others); and 5.9% were drug law violations.⁴ Determining which of these offenses are "gang crimes" is difficult for a number of reasons. Among these reasons are that sharing of crime data among local, state, and federal law enforcement agencies is limited by the lack of a national gang-crime database; a consistent gang definition is not used by police agencies nationwide;⁵ and the assignment of crimes to a "gang-related" or "not gang-related" category is inconsistent between law enforcement agencies.⁶

Lawful citizens want law enforcement officials to respond quickly and decisively to neighborhood crime. Responses to gang crime and to juvenile crime in general have included building more juvenile prisons, tossing more adolescents into those prisons, and prosecuting adolescents as adult offenders.⁷ While executing these remedies, policy makers have invested less in funding social interventions to prevent adolescents from becoming involved in youth gangs. To develop effective long-term interventions, policy makers must overlook neighborhood gang crime and focus their attention on the social lives of the young men and women who are the members of youth gangs.

2. STREET GANG TASK FORCE, KANSAS CITY, MO. POLICE DEP'T, URBAN RESPONSE TO STREET GANG ACTIVITY (1992).

3. G. DAVID CURRY, U.S. DEP'T OF JUSTICE, ESTIMATING THE NATIONAL SCOPE OF GANG CRIME FROM LAW ENFORCEMENT DATA (1996).

4. Jeffrey A. Butts, U.S. Dep't of Justice, *Offenders in Juvenile Court, 1993*, JUVENILE JUST. BULL., July 1996, at 2.

5. IRVING A. SPERTEL, THE YOUTH GANG PROBLEM 179 (1995) (stating that categorizing an incident as gang-related is not simple or standardized across jurisdictions).

6. Interview with David G. Curry and Scott H. Decker (Nov. 16, 1996).

7. THE REAL WAR ON CRIME 136 (Steven R. Donziger et al. eds., 1996).

II. FIELDWORK AND POLICY

A research grant from the Harry Frank Guggenheim Foundation funded the first twelve months of Fremont research (July 1995 to June 1996). To study the activities of Fremont Hustlers I used a time-honored technique known as ethnography. Ethnography is the study of social processes over an extended period of time using techniques such as long-term involvement in a study site and participation in and observation of daily activities. This degree of involvement allowed a close look at these Fremont kids' families and daily street lives. In the vast literature on youth and adult gangs, true ethnographic research is rare.

Fremont ethnography began simply. I met Wendy and Janet, two of the six founders of Fremont, on the campus of the University of Missouri at Kansas City in June 1994. Wendy's maternal uncle, newly paroled from a Missouri state prison, had enrolled in a three-weekend urban gangs course that I taught by invitation of the department of sociology and justice administration. Wendy's uncle suggested that I invite her to class.

For over three hours on a Sunday afternoon in June 1994, Wendy and Janet answered students' questions about Fremont gang life. Wendy and Janet called themselves "straight Gs" and were then inseparable "homeys" (close companions). (A "straight G" is a girl who is a full-fledged member of a boy-girl gang, and is just as willing to "gangbang" as the boys. Gangbanging includes acts that support the gang image, such as using gang handsigns, wearing gang colors, and gang activities, such as fights.) When class ended, I asked Wendy and Janet if I could "hang out" with them to get a close look at Fremont social life. They agreed to introduce me to the Fremont Hustlers and support my research by allowing me to hang out. Over the next twelve months, I called Wendy now and again just to chat and refresh her memory about our conversation.

I applied for a grant from the Harry Frank Guggenheim Foundation and as I awaited notification, *Natural History* magazine, a publication of the American Museum of Natural History, New York City, asked me to write an essay on a youth gang. I agreed. The magazine then hired the award-winning photojournalist Eugene Richards to accompany me and photograph life on Fremont.⁸ Richards and I joined the Fremont Hustlers in June 1995. Six weeks later, Richards went off on other projects but kept in touch with the Fremont kids by phone and letter and sent a number of them his book, *Cocaine True*,

8. Eugene Richards, *The Fremont Street Hustlers*, in *BEST OF PHOTOJOURNALISM* 21, 68-71 (1996) (displaying a series of Fremont Hustlers' photographs).

Cocaine Blue.⁹ For months afterward, kids would sit together and talk seriously about Richards' photographs of gang life and drugs in inner city neighborhoods, a world well known to Fremont Hustlers.

I returned to Fremont when the summer ended several times a month for three to four days each trip. On those trips, days began between noon and one in the afternoon and ended in the wee hours of the next morning. And when I was at home in Illinois, every other day I called Fremont kids who had pagers and they returned the page on my personal 800-number. Over the fall of 1995 and winter, spring, summer, and fall of 1996 there were shootings, fistfights and knife fights, girls' battles over boyfriends, pregnancies, spontaneous abortions, childbirth, court dates and probation, drug use and drug selling, convictions and imprisonment, arrests for parole violations, plea bargains, battles with mothers and fathers, and searches for menial jobs. These events provided rich ethnographic data. But as the father of two teenagers, watching and listening to these Fremont kids suffer hurt me. To be sure, youth gang data is one thing, children suffering is another.

Over the next year many Fremont kids introduced me to their mothers and fathers. In time, they invited me inside their homes to watch television, share food, gossip and chitchat. There I listened to phone calls between Fremont kids and companions in other neighborhoods and in jail and prison, overheard drug transactions, and felt the sting of screaming bouts among siblings and between parents and kids. These screaming bouts were not the typical parent-teenager debate over the time to return home after a date. These battles between parents and children ended only when a kid was thrown out of the house and told never to return or when a kid screamed "go fuck yourself" at her mother and ran to the street.

These scenes of gang kids' family life were hidden from public view. But every now and then, however, the residue of the parent-child relationship slipped out. A teenaged boy stood next to Wendy's house one afternoon as his brother ran down Fremont to bring him the very bad news that his mother had been killed in a car accident. The boy listened to his brother, paused a moment, and then said: "Ah fuck her, I didn't like the bitch anyway."

9. EUGENE RICHARDS, *COCAINE TRUE, COCAINE BLUE* (1994).

III. GANG LIFESTYLE

Hidden beyond the visible icons of a youth gang and the media tales about drugs and violence are the social and economic transactions of everyday life. Fremont Hustlers' lifestyle is summarized below.

"Hanging out" and "working" (selling drugs) are the main components of Fremont gang life. Hanging out means listening to music, dancing, gossiping, vying for boyfriends and girlfriends, smoking cigarettes and "joints" (marijuana cigarettes), riding in someone's car, and the like.

Fremont has no formal leadership structure. The "gang" does not meet to discuss and plan criminal acts nor are the proceeds of crime shared among Fremont members. Fremont has no leader, no chain of command. Kids rarely agree on anything, just as you would expect from teenagers. Fremont resources are scarce, thus kids are greedy and do not easily share drugs, money, and possessions with homeys.

Fremont social life was determined by the possession of valuable property. Fremont kids who controlled the most "stuff" with the greatest value had the most influence at that moment. Valuable things include drugs, places of residence, and sex. Selling drugs brings cash, bartering drugs provides someone a place to stay. In the absence of cash and material things, personal services (sex) could be sold or bartered for valuable property.

Fremont boys are more active in aggressive criminal activity than girls. Boys and girls sell illegal drugs, but the boys also burglarize houses to obtain stereos, cameras, weapons, cash, and drugs—all things with street value. Some other boys specialize in car jackings. Fremont girls engage in drug selling and also deal in a service all boys want. That service is sex. Girls distribute sex to boys who have drugs, cash, cars, and apartments. Usually this means that girls engage in sex with the boys who are the most active criminals and the boys most likely to be arrested and imprisoned. Boys who possess no property or drugs are unlikely to have sex with Fremont girls. On Fremont there is no safe sex.¹⁰ Fremont teenagers have sex with one another and with kids from other neighborhood youth gangs. Teenagers do nothing about birth control and the transmission of sexual diseases. They say "real" sex must be "skin on skin."

Intragang and intergang violence was an element in Fremont life, but Fremont kids tried to keep violent behavior to a minimum. Why? Violence

10. Stephanie Ann Farquhar, *A Critical Assessment of a Street Youth Health Survey*, CULTURAL ANTHROPOLOGY METHODS, Feb. 8, 1996, at 7-9.

attracts the police. Fremont drug sellers cannot make money with police surveillance in the neighborhood and being arrested surely stops profitable street corner drug sales. Public violence, such as drive-by shootings, is instigated by one, maybe two or three boys who are angry at a boy in another gang. That anger is often caused by flirtatious behavior toward a Fremont boy's girlfriend, less often by a "rip off," such as someone not paying for drugs lent on credit or not paying the full amount owed. Beyond these occasions, Fremont violence is most often directed inwardly at one another. Jealousy over which boy has the most cash and drug customers leads to fights, sometimes to shootings. An angry boy may even "contract" with a fellow in another gang to shoot the angry Fremont boy's homey.

The reality of Fremont daily life is awful. Fremont kids escape this reality with drugs and fantasies. Boys talk mostly about making a lot of money selling drugs, moving away from Fremont, getting a fancy place to live, a new car, and having beautiful girlfriends. Girls daydream about lovers. Their men are real but they are always locked up in prison. But, the girls said, when their lovers are released they will rescue them from Fremont and together they will make a happy life. On Fremont no fantasies come true.

IV. FAMILIES, GANGS, POLICY

How do youngsters become involved in such a lifestyle? Gang literature identifies a number of reasons for the formation of youth gangs.¹¹ Common in the research literature is the notion that kids in gangs are victims of poverty, inequality, and structural conditions.¹² To be sure, there is economic poverty on Fremont. But this ethnography also shows that Fremont Hustlers were also born into what Bennett and DiIulio have called "moral poverty":

[T]he poverty of being without loving, capable, responsible adults who teach the young right from wrong. It is the poverty of being without parents, guardians, relatives, friends, teachers, coaches, clergy and others who *habituate* . . . children to feel joy at others' joy; pain at others' pain; satisfaction when you do right; remorse when you do wrong. It is the poverty of growing up in the virtual absence of people who teach these lessons by their own everyday example In the extreme, it is the poverty of growing up surrounded by deviant, delinquent, and criminal adults in a practically perfect criminogenic environment¹³

11. For a summary of gang formation theories, see SPERGEL, *supra* note 5, at 70-79.

12. See, e.g., PHILIPPE BOURGOIS, IN SEARCH OF RESPECT 1-18 (1995).

13. WILLIAM J. BENNETT ET AL., BODY COUNT 13-14 (1996).

Americans believe a lot of things about kids and parents and gangs. Policy makers and others too like to believe that parents love and nurture and treasure children. The fact is, some parents damage kids. In the face of that fact, we like to believe that the damage inflicted on children, no matter how awful or cruel, can be remedied if we spend enough money and fund enough programs. We also like to believe that groups of adolescents and young adults, the so-called youth gangs, who spray paint buildings, use and sell drugs, and sometimes do violent things will disappear if we arrest and imprison enough of them. Fremont kids prove that these three fundamental assumptions—that parents love kids, that damage done to kids can be remedied, and that imprisonment will end the youth gang problem—are wrong.

Effective gang intervention requires more systematic action than arresting gang members. Long-term intervention compels an understanding of gang members' families. When this is done, we find gang kids' families in shambles. Consider the three sisters of just one Fremont family. The youngest is a sixteen-year-old prostitute and stripper; in the fall of 1996 she was pregnant with a teenaged drug seller's baby. The middle sister is a twenty-four-year-old heroin and rock cocaine addict; in the fall of 1996 she also was pregnant. The eldest is the twenty-eight-year-old mother of three pre-teenagers: an eleven-year-old-boy and two pre-school daughters, one five, the other two. The boy stays with his aunt, the pregnant heroin and cocaine addict. The other two children reside with mom in a rented, ramshackle two bedroom house. One bedroom is rented to a young adult rock cocaine seller and his sixteen-year-old pregnant girlfriend. The pre-schoolers breathe secondhand marijuana smoke and in the absence of a television, these preschoolers watch real-life gang members selling real cocaine. Five-year-old Amy often shows bruises on her face and buttocks, black-on-blue marks inflicted by gang boys who cannot control their anger. This child cannot read the simplest words nor can she write her name. In the winter of 1996 Amy's mother was pregnant with her fourth child whose eighteen-year-old father is a drug seller, car thief, and burglar. This boy's mother was a rock cocaine addict.

What I have seen and heard on Fremont is not matched by what parents say about parenting and their children's lives. Parents say they have done their best, have tried to do what was right for their kids, have given their kids everything they could, but for some unknown reason, their kids turned out angry and "bad," as some parents said. Fremont's most disruptive kids' parents turned them over to the police or social service agencies with a cry for help: "I can't control [them], you do it." With such an impassioned plea for help, outsiders may feel compassion for the parents, anger at the ungrateful and out-of-control kids. But if only you could see backstage where mom beat Amy; screamed at her for spilling soda on a tattered and filthy carpet; used the household welfare cash to buy rock cocaine and marijuana and put Amy and her sister to bed

hungry; neglected her children's medical and dental needs; and allowed her drug addicted lovers, Amy's overnight step-dads, to wallop her at will.

To cope with such a homelife, kids who grew up in households like Amy's ran to the street. Parents did not care if children, just eleven, twelve, thirteen years old, abandoned homelife for street life. On the street these kids joined other kids from similar households. There at the corner of Fremont and 13th Street, damaged children became the Fremont Hustlers.

When Fremont kids are truant, sell and use drugs, and carry guns, policy makers must be sure to point the finger of responsibility in the right direction. Teachers cannot make kids attend school and read and study at home, parents do that. Police and probation officers cannot stop kids from carrying guns, parents do that. Police cannot stop kids from killing one another, parents do that. Teachers, police, and probation officers cannot stop teenagers from engaging in sex, getting pregnant, and having children of their own, parents do that. Parents are supposed to teach children how to make legal and moral decisions and to provide children with an environment in which they can learn how to succeed in mainstream social and economic life. But when kids' mothers and fathers are alcoholics and drug sellers and drug addicts who carry guns, have sex with anyone, and nonchalantly engage in criminal activity, children watch and learn and ultimately acquire a model of social life that is distorted and dangerous and a deadend for children like Amy and adolescents like Wendy and Janet. To be sure, Amy has been victimized by her mother's drug addiction, choice of companions and lovers, and chronic unemployment.

V. YOUTH GANGS: DEFINITIONS AND POLICY

What can be done to end such a nightmare? Creating an effective youth gang intervention policy must begin with a policy-oriented definition of a youth gang. At the definition stage of policy formation, gang policy is likely to have a built in failure. There are two ways of defining gangs. The first way is straightforward and uses a denotative definition; the second way is more complex and uses a social process definition. Most gang definitions are lists of the common traits associated with the generic notion of a gang. The traits "group" and "crime" always dominate such trait-list definitions.¹⁴ Several examples illustrate this point:

14. Compare JAMES F. SHORT, *DELINQUENCY AND SOCIETY* 148, 206 (1990), with FREDERIC M. THRASHER, *THE GANG* 36-46 (1927). See also Richard A. Ball & G. David Curry, *The Logic of Definition in Criminology: Purposes and Methods for Defining "Gangs,"* 33 *CRIMINOLOGY* 225 (1995).

- (1) "in order to be considered a gang, the *group* must be involved in *illegal activity*."¹⁵
- (2) a gang recognizes itself as a *group* and is identified as one by others, usually denoted by a name, and draws *negative* response from neighbors and law enforcement agencies due to the frequency of *illegal activities*.¹⁶
- (3) "[when] criminologists speak of gangs, they usually are thinking of *collectivities*. Although the definitions . . . emphasize size, organizational complexity, urban location, hierarchy, leadership, territoriality, and so on, . . . the criterion they are operating with intuitively is collectivity, plus some propensity to *disruptive*, '*antisocial*,' or *criminal behavior*."¹⁷
- (4) "a somewhat organized *group* of some duration, sometimes characterized by turf concerns, symbols, special dress, and colors. . . ."¹⁸

Denotative definitions are useful, to a point: these definitions focus on the things detectives see (graffiti, handsigns, groups of kids) and emphasize the dangerousness of street crime and its effect on community safety. Fremont ethnography shows that intervention also must concentrate on the social processes of family life. It is much easier to develop intervention programs targeting concrete traits (gang violence, drug selling) than it is to intercede in the social dynamics of a family relationship. But simply recognizing the importance of parent-child dynamics in the process of youth gang formation is an important first step in formulating an intervention policy that focuses on moral poverty as well as the external signs (crime) and socioeconomic context (economic poverty) of youth gangs.

VI. TRANSFORMING DATA INTO POLICY

Summarized below are observations that serve as starting points for gang intervention. Each of these observations are taken from a social process perspective.

15. Finn-Aage Esbensen & David Huizinga, *Gangs, Drugs, and Delinquency in a Survey of Urban Youth*, 31 *CRIMINOLOGY* 565, 569 (1993) (emphasis added).

16. MALCOLM W. KLEIN, *STREET GANGS AND STREET WORKERS* 13 (1971) (emphasis added).

17. Albert K. Cohen, *Foreward and Overview*, in *GANGS IN AMERICA* 7, 10 (C. Ronald Huff ed., 1990) (emphasis added).

18. Irving A. Spergel et al., *National Youth Gang Suppression and Intervention Program*, *JUVENILE JUST. BULL.*, June 1990, at 3 (emphasis added). See also Irving A. Spergel & G. David Curry, *The National Youth Gang Survey: A Research and Development Process*, in *THE GANG INTERVENTION HANDBOOK* 359, 388-90 (Arnold P. Goldstein & C. Ronald Huff eds., 1993).

A. Fremont Parents Had No Incentive for Making the Kind of Investments in Their Kids that "Straight" Parents Make in Their Children

Fremont's most disruptive, violent kids had parents who abandoned interest in them when they were younger than thirteen years old. Older Fremont kids who maintained ties to a mother or father based that link on economics. Jackie (Wendy's mother) and Wendy stayed together in their drug house only because each one had a financial investment in dealing drugs.¹⁹ Wendy said that "a family that commits crime together, stays together."

Life histories of Fremont Hustlers' families show that drug use, street crime, gang involvement, imprisonment, and family violence penetrate deeply into family histories. Fremont kids have parents, aunts, uncles, cousins, and step-siblings and step-parents who were or still are gang members, drug users, drug sellers, prison inmates, alcoholics, and active criminals. Fremont's core members, those most involved in street crime, have parents who were on the streets decades ago doing what their sons and daughters do today. Jackie said, "I was doing worse things at Wendy's age. She ain't doin' shit." Cara, another one of Wendy's homegirls, had four uncles (on her mother's side) who were inmates at the Washington State Penitentiary in the late sixties.

B. Intrafamily Dysfunction Transcended Generations When Fremont Girls Had Babies

Fremont boys carry guns, the girls carry babies. These girls get pregnant because they engage in unprotected sexual intercourse. Six out of some twenty teenagers in middle adolescence were pregnant between July 1995 and December 1996. Many girls were pregnant many times: two girls were pregnant five times in eighteen months, each time by a different teenage father. A number of girls had children, others had medical abortions, others had medical problems that led to spontaneous abortions. Children born to Fremont girls now have mothers who are drug sellers and drug users, and fathers who are street criminals and prisoners. One eighteen-month-old girl was told her daddy, a nineteen-year-old prison inmate, is "away at school."

C. Over-Zealous Gang Policing Exacerbated the Youth Gang Problem

Arresting kids for minor offenses and tossing them into detention has one major effect: it almost guarantees these kids retain gang peers and become further isolated from mainstream adolescent life. In juvenile detention centers

19. Jerry Thomas & Andrew Martin, *Drugs Turn a Street Upside Down Along West Adams, Cops Are Resented, Dealers Are Respected*, CHI. TRIB., Nov. 24, 1996, at A1.

and in the Jackson County (Kansas City) jail, Fremont kids languished with at best mediocre legal assistance and were often forced into plea agreements that did little to redirect these kids' lives. These helpless and frightened adolescents were tossed behind bars and concrete, then dumped into prison or a probation program.

D. Probation Did Not Alter Fremont Kids' Behavior

Most Fremont kids in jail are released on probation, some are sent to residential treatment centers. But many of these kids fled those centers and returned to Fremont. Fremont kids on probation did not alter their behavior because of formal court supervision. They missed court dates, ignored community service requirements, left fines and court costs unpaid. Kids on home confinement used and sold drugs, hung out with gang companions and stayed in touch with pagers and telephones. A kid selling and using drugs while wearing an electronic monitoring device on his or her ankle is a common sight.

E. Adolescents Who Pulled Away from Gang Life Had No Access to Social Services

A number of Fremont kids abandoned the gang lifestyle for several reasons.²⁰ Some "burned out" on, among other things, excessive drug use, lack of sleep, incessant arguments over boyfriends and girlfriends; others were injured in serious fights and shootings and decided then to pull away from Fremont homeys. Pulling away from gang life was not easy. These kids had to physically separate from the Fremont neighborhood and the people they had known for years, and find new places to stay, new companions, and employment. On the other hand, pulling away kept them away from street crime, which meant they were not arrested and tossed into custody; however, not going into custody severely limited their access to the social, educational, and medical services available to them in detention centers.

Now these Fremont kids, seventeen to nineteen years old and veterans of years of street life, were lost between the criminal justice system and mainstream life. These kids were the age of college students but are junior high school dropouts with drug addictions and irascible temperaments that forecasted a dim employment future. When they worked, their wages equalled their job skills. Thus, because they were paid such low wages it was hard for them to afford the rent on a cheap apartment. Facing this financial dilemma, these kids

20. SCOTT H. DECKER & BARRIK VAN WINKLE, *LIFE IN THE GANG* 261-64 (1996).

returned to selling drugs, at least as part-time "employment," in places more private than street corners and less suspicious than drug houses.

VII. POLICY PROPOSALS

Fremont Hustler ethnography has identified a number of significant factors linked to the formation of this youth gang. These factors support the findings of other gang studies.²¹ Fremont kids were subjected to harsh and neglectful socialization. They were teenage parents and had parents who were teenage parents too. Fremont kids possessed illegally obtained firearms and engaged in street crime mostly as a means of economic support. Fremont kids did not have easy access to social support and medical services or prenatal care. And Fremont teenagers had no valuable job skills. That fact alone made it difficult for them to pull away from profitable street crime. The intervention programs that follow address these factors and also propose a way to fund such programs.

A. *Finding Resources*

Long-term gang intervention is expensive and will require a multiyear, federal and state bipartisan effort. To fund these intervention programs state and federal agencies can use the resources diverted from a smarter use of prisons. State and federal prisons are now forced to imprison for long, thus expensive, terms hundreds of thousands of inmates convicted of drug offenses.²² As objectionable as drug offenders are to lawful community members, custody in community work camps would be sufficient for most of these offenders.

The most effective use of expensive prison cells is the incapacitation of truly violent offenders housed in industrialized prisons.²³ Nonviolent inmates do not need to be imprisoned in secure facilities. The use of secure prisons to house nonviolent inmates has an enormous price tag. The federal prison system, for instance, estimates that a prison has a lifespan of fifty years. Say, then, that a prison housing 1200 inmates has an annual operating budget of \$15 million, a realistic amount. Closing such a prison would save taxpayers a minimum of \$750 million in operating costs alone (in today's dollars). If that prison had not been built taxpayers would have saved at least \$50 million more. By not sending nonviolent offenders to prison, inmate populations could be reduced, prison by prison. By not building one prison today we could save nearly one

21. See generally *id*; SPERGEL, *supra* note 5.

22. JODI M. BROWN ET AL., U.S. DEP'T OF JUSTICE, CORRECTIONAL POPULATIONS IN THE UNITED STATES, 1994, at 10-13 (1996).

23. MARK S. FLEISHER, BEGGARS AND THIEVES 262-67 (1995).

billion dollars right now. Imagine how many communities, schools, and adolescents could benefit right now by those funds.

B. Child Protection

Protecting children should be the first and most urgent priority of state and federal legislatures. All children must reach kindergarten undamaged.²⁴ The only truly effective long-term delinquency and youth gang intervention is to remove abused and neglected children from the care of violent and negligent adult caretakers. When it comes to children's safety, there should never be a second chance for mothers and fathers who scald a baby, break a child's rib in a fit of rage, or shake a child so ferociously as to cause brain damage.

Abused and neglected children removed permanently from dangerous households should be placed until majority in long-term residential homes overseen by the federal government and managed by federal employees. To support such community homes resources could be reallocated from federal and state correctional budgets streamlined by the wiser use of prisons. Stable funding, professionally trained child caretakers, and responsible and continuous oversight by federal and state government officials are necessary to maintain services to children and sustain stable households. If the long-term care of once-abused children was placed exclusively in the hands of state legislators, and by default influential interest groups, I am fearful that funding for the long-term residential care would disappear and these children would again end up in the custody of social service agencies that have proven histories of inadequate guardianship of children.

C. Schools

The quest to protect children must continue in schools. Teachers and administrators must be better prepared to diagnose and seek treatment for emotionally and physically injured kids. Schools see kids from age six to eighteen, year after year, yet schools are not prepared to handle kids like those on Fremont. Schools toss these kids away, suspend and expel them as if suspension and expulsion would "teach them a lesson." This is a thoughtless response to a serious issue in adolescent social development. School administrators who implement policies that "throw away disruptive kids" worsen a bad situation.

If teachers were adequately trained in college and graduate school, they would graduate with a multidisciplinary background and would have studied

24. See *THE REAL WAR ON CRIME*, *supra* note 7, at 142-43.

adolescent psychology, public administration, criminal justice and deviance, among other disciplines. Of utmost importance in teacher education is the ability to identify the signs of abnormal cognition and behavior, especially among kindergartners and first and second graders. Once these children have been identified, school administrators must have a systematic way to obtain services for them. At this point, social, medical, and psychological services available to youngsters in the custody of the criminal justice system should be extended to grade-school children.

D. Juvenile Detention

The addictions, the medical problems, the psychological issues, the social maladjustment that kids bring to detention are indicators of moral poverty. Nearly eight thousand kids under age eighteen are held in juvenile institutions. Over three-quarters await trial as an adult.²⁵ Detention may be the first time in these kids' lives they have been offered dental and medical care and a safe place to sleep. In well-managed juvenile detention centers, these adolescents should receive intensive therapeutic care and a number of other essential services.

Custody can be helpful to these adolescents, but what happens to them when detention ends? By age sixteen, Wendy had already spent 25% of her life behind fences. When detention ended, she returned to Fremont and with Cara's help they developed a thriving drug house business.

E. On-Site Neighborhood Teams

Public health professionals, psychiatric social workers, teachers, and others are tucked away safely in criminal justice agencies and await gang kids' arrival. But not one teacher, drug counselor, therapist, physician, or dentist has ever walked into Fremont and offered to do anything for a teenager who needed a doctor, a cavity filled, to learn to read or to have someone to talk to. If we wait until kids get arrested and reach custody to offer them care, we have waited too long. Social services must reach kids, the younger the better, and must go to where kids hang out. That means outreach into gang neighborhoods. By outreach I do not mean the use of former gang members whose purpose is to encourage active gang members to abandon street life. The weakness of such outreach workers is their inability to connect active gang members directly to

25. DARRELL K. GILLIARD & ALLEN J. BECK, U.S. DEP'T OF JUSTICE, PRISON AND JAIL INMATES, 1995, at 1 (1996).

social networks that can offer kids-in-need substantial services. To be sure, active gang members need "father" and "mother" figures who reach out to them repeatedly with social services.

Right now criminal justice staffers should walk away from their comfortable offices and into neighborhoods where their services are needed. A neighborhood intervention team composed of well-meaning detectives, teachers, doctors and dentists, psychologists, social workers and others can target high-crime gang neighborhoods. There these workers can reach out to single mothers whose children receive inadequate medical care and to adolescents who need counseling on sex education, birth control and addiction treatment. And the proximity of professionals may add stability to high-crime neighborhoods which is a prerequisite to the restoration of social order and reduction of street crime.²⁶

F. Firearms Education

Nearly 6000 people under age twenty were killed by gunfire in 1993.²⁷ Like it or not kids have firearms. Many of these kids are gang members. Pistols, revolvers, shotguns, rifles, and assault rifles were assembled in Fremont's arsenal. These were stolen weapons, often with broken parts, and always dirty. Fremont kids enjoyed playing with weapons especially at night when they were high on drugs or drunk. They fired them into the air without thinking about where or on whom the bullets descended. Kids handled weapons as if they were sticks, pointing them at one another, waving them around without ever checking to see if the weapons were loaded.

Since April 1994, eleven Fremont kids have been shot, a few were killed by "enemies," others in "accidental" shootings. Wendy and Cara were victims of a walk-by shooting in August 1994. A member of Fremont's archenemy, the Northeast Gangstas, riddled Wendy's 1985 Honda Accord with bullets from an assault rifle as Wendy and Cara sat helplessly in the front seat. The perpetrator was a teenage boy wielding an assault rifle. On many more occasions, drive-by shooters hit houses. The steel front door on Wendy's house shows bullet holes.²⁸

In America today the availability of guns has transformed simple fights among kids into life-and-death incidents on the streets. Gang kids as well as middle-class kids handle guns. Professor Lizotte's research shows that teenagers

26. See generally GEORGE KELLING & CATHERINE M. COLES, *FIXING BROKEN WINDOWS* (1996).

27. Andrew Buchanan, *Playing with Guns No Game for Kids*, CHI. TRIB., Dec. 2, 1996, at A1.

28. Richards, *supra* note 8, at 68.

who carry weapons have friends who do too.²⁹ Firearms education taught in schools and on corners in gang neighborhoods is as important to adolescent life-safety as driver's and sex education. Simple acts, such as learning how to determine if a weapon is loaded, may save kids' lives.

VIII. THE FUTURE

No matter how hard we try to end youth gangs, they will always be a part of the American street scene. But to be sure, the Fremont Hustlers did not just appear one day at the intersection of Fremont and 13th Street. A youth gang is not a faceless, nameless group of entities that commit crimes. They are Wendy, Cara, Sherry, Angie, Rosa, T.J., Bernard, Chucky, Wayne, Taz, Lucky, and the others. They are someone's sons and daughters. But these kids' parents did not do a good job at rearing them, and it is difficult for us to change that now.

Now is the time for state and federal policy makers to look to the future. When policy makers develop intervention programs, these government officials must remember that Wendy, Cara, Angie, among the other Fremont girls and boys will soon be mothers and fathers. While juvenile justice programs have done little to alter the direction of these young adolescents' lives, let us be absolutely sure that we will be able to help Wendy's, Cara's and Angie's sons and daughters before these kids call themselves the Fremont Hustlers.

29. See generally Alan J. Lizotte et al., *Patterns of Illegal Gun Carrying Among Young Urban Males*, 31 VAL. U. L. REV. 375 (1997).