

# From Theory to Praxis: Black Women, Gangs, and Critical Race Feminism

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## INTRODUCTION<sup>1</sup>

Despite the media's portrayal, the American gang problem is not attributable solely to African-American and Hispanic males. Females have been and are increasingly becoming a significant component of the gang crisis that faces many American communities.<sup>2</sup> Twenty years ago Waln K. Brown criticized the lack of information on female delinquency and female gang involvement, and sought to remedy the traditional neglect by researchers of the roles of black females in the gang subculture.<sup>3</sup> Unfortunately, this "peculiar absence"<sup>4</sup> of scholarship and research has continued over the last two decades even though female gang members have become more visible and violent crime rates for female offenders have risen drastically.<sup>5</sup> As Brown recognized, "black females undergo the same basic sociological phenomena as do black males"<sup>6</sup> and must be included in the analysis of the gang culture. The African-American female gang member must no longer be a marginalized<sup>7</sup> and neglected part of the discourse of the American gang.

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1. This article is based in part on an essay entitled *Sisters in the Hood: Beyond Bloods and Crips* which is included in the anthology *CRITICAL RACE FEMINISM: A READER* 243 (Adrien K. Wing ed., 1997). This essay was expanded upon in *Critical Race Feminism: Black Women and Gangs*, Symposium Issue of the *Journal of Gender, Race & Justice* (forthcoming 1997). Both of these articles stem from research conducted for a book entitled *Gangs: Beyond Bloods and Crips*, to be co-authored by Professor Adrien Wing and Jim Brown.

2. Gini Sikes new book, *8 BALL CHICKS*, is an example of this growing phenomenon. Sikes spent a year immersed in the world of female gang life in three different cities South Central Los Angeles, San Antonio, and Milwaukee. See GINI SIKES, *8 BALL CHICKS: A YEAR IN THE VIOLENT WORLD OF GIRL GANGSTERS* (1997).

3. Waln K. Brown, *Black Female Gangs in Philadelphia*, 21 *INT'L. J. OF OFFENDER THERAPY & COMP. CRIMINOLOGY* 221-222 (1977).

4. See *Id.* at 222.

5. Between 1983 and 1992 the female arrest rate for violent crimes increased 83 percent. Howard Snyder & Melissa Sickmund, *Juvenile Offenders and Victims: A National Report*, Nat'l Center for Juv. Just. 105 (1995).

6. Brown, *supra* note 3, at 222.

7. The interests of women of color have traditionally been addressed peripherally, or at the "margins" of legal and social science analysis. See Kimberle Crenshaw, *Demarginalizing the Intersection*

This article attempts to shift the focus to the African-American female and places the emphasis on the various roles that these women play within the gang realm. This article uses a new addition to the critical jurisprudential perspectives<sup>8</sup>, critical race feminism<sup>9</sup>, to demarginalize the experiences of black women and bring to the forefront the importance of black women's relationship to gangs. In this article, eight different roles that black women can potentially play with regard to gang life will be identified. In each of these roles black women can have a tremendous impact on gang activity and the gang problem as a whole. By focusing on the African-American female in each of these roles, solutions can be better crafted to provide greater opportunities for change and restoration within gang affected communities.

Part II of this article will define critical race feminism and discuss its utility as a tool to analyze the gang phenomenon. Part III describes the various roles that black women play with respect to gang life. Part IV reviews some of the major theoretical approaches to gang involvement and criminality, and uses a critical race feminism construct to propose a new integrated theory. Part V discusses how theory turns to praxis by looking at current gang strategies and by suggesting a new multi-dimensional approach based on the principles of critical race feminism. Part VI concludes the article, emphasizing the benefits to be obtained by using a critical race feminism approach to place black women at the center of analysis and theory; and also at the center of praxis and programs.

## I.

### CRITICAL RACE FEMINISM

Critical race feminism finds its foundation in critical legal studies and critical race theory.<sup>10</sup> Critical legal studies attempts to expose the differential power

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*of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics*, 1989 U. CHI. LEGAL F. 139 (analyzing the single axis approach based on gender or race and the resulting marginalization of black women). Females have been seen as secondary within the gang culture by most researchers. This marginalization of the female gang member may be attributable to the cultural bias of primarily male researchers. ANNE CAMPBELL, *THE GIRLS IN THE GANG* 27 (1984).

8. These perspectives include critical legal studies and critical race theory. *See, e.g.* JAMES BOYLE, ED., *CRITICAL LEGAL STUDIES* (1992); Richard Delgado, *Critical Legal Studies and the Reality of Race: Does the Fundamental Contradiction Have a Corollary?*, 23 HARV. C.R.-C.L. L. REV. 133 (1989). *See, e.g.* Roy Brooks and Mary Jo Newborn, *Critical Race Theory and Classical-Liberal Civil Rights Scholarship: A Distinction without a Difference*, 82 CAL. L. REV. 787 (1994); Alan D. Freeman, *Racism, Rights, and the Quest for Equality of Opportunity: a Critical Legal Essay*, 23 HARV. C.R.-C.L. L. REV. 295 (1988). For more on critical race theory, *see generally* RICHARD DELGADO, ED., *CRITICAL RACE THEORY: THE CUTTING EDGE* (1995); and *CRITICAL RACE THEORY: THE KEY WRITINGS THAT FORMED THE MOVEMENT* (Kimberle Crenshaw et. al. eds., 1995).

9. Critical race feminists are predominantly scholarly women of color and their writings focus upon a variety of topics relevant to race and gender. *See* *CRITICAL RACE FEMINISM: A READER* (Adrien K. Wing ed., 1997) and articles such as, Patricia Williams, *Spirit-Murdering the Messenger: The Discourse of Fingerprinting as the Law's Response to Racism*, 42 U. MIAMI L. REV. 127 (1987); and Mari Matsuda, *When the First Quail Calls: Multiple Consciousness as Jurisprudential Method*, 11 WOMEN'S RTS. L. REP. 7 (1989); Kimberle Crenshaw, *Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 HARV. L. REV. 1331 (1988).

10. *See generally* Wing, *supra* note 9, at 1-6.

relationships that exist throughout society in supposedly neutral or objective concepts. Deconstructing such concepts aids in analyzing and understanding the relationship between law, racism and white privilege.<sup>11</sup> Critical race feminism draws from critical legal studies the idea of deconstruction along with the critical analysis of the traditional legal canon.

Critical race theory formed in the 1970s as an effort to focus the critical legal analysis on racial issues and to provide new approaches to deal with racism and discrimination. There are several foundational premises upon which critical race theory is based and which critical race feminism highlights. The first of these is that racism is normal and ordinary in American society.<sup>12</sup> Second, to critique a culturally constructed reality, critical race theorists employ a technique of storytelling and narrative analysis to construct alternative social realities.<sup>13</sup> These narratives aid in exposing the reality of racism and validate the experiences of people of color.

The third basic theme of critical race theory was developed by Derrick Bell and holds that white elites tolerate or encourage racial progress for minorities as long as it also promotes white interests.<sup>14</sup> This interest-convergence idea suggests that civil rights laws are a mechanism to ensure that racial progress occurs at a pace acceptable to the majority.<sup>15</sup> Finally, critical race theorists are wary of the dominant legal theories which support hierarchy, neutrality, color blindness, and single axis analysis. They instead draw from a broad array of intellectual traditions such as liberalism, postmodernism, Marxism, pragmatism, and cultural nationalism to create innovative approaches to racial justice and also to develop new methods of writing and thinking that incorporate theory with praxis.<sup>16</sup>

Critical race feminism then utilizes these basic principles and brings out the gendered aspects of injustice. In addition to critical race theory's axiom of socially and legally constructed racial power, critical race feminism posits that there is also a social and legal construction of the power of gender. This feminist perspective enhances critical race theory which often assumes that the experiences of women of color are the same as that of men of color. Critical race feminism also goes beyond traditional feminist approaches, which are usually based on the experiences of white middle and upper class women. Critical race feminists focus on the intersection of race and gender, emphasizing the anti-essentialist premise that women of color are not simply white women with the added factor of race or men of color with the added factor of gender.<sup>17</sup> They call for a deeper understanding of the lives of women of color based upon their multiple identities.

11. *Id.* at 2.

12. DELGADO, *supra* note 8, at xiv.

13. *Id.*

14. *Id.*

15. *Id.* See also, Derrick A. Bell, Jr., *Brown v. Board of Education, and the Interest-Convergence Dilemma*, 93 HARV. L. REV. 518 (1980).

16. DELGADO, *supra* note 8, at xv.

17. Angela Harris defines essentialism as the belief that there can be one "monolithic women's experience [or black experience] that can be described independent of other facets of experience like race, [sex], class and sexual orientation." Angela P. Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. 581, 586 (1990).

Critical race feminism stresses conscious consideration of the intersection of race, class, and gender by placing women of color at the center of the analysis and reveals the discriminatory and oppressive nature of their reality.<sup>18</sup> Critical race feminists are concerned with practice, not just theory. They address actual needs and emphasize practical applications in an effort to bring about change and progress within society. Critical race feminism is also multi-disciplinary, drawing from a wide array of legal and non-legal fields.<sup>19</sup> One goal of critical race feminism is to synthesize and utilize these bodies of knowledge in a theoretical analysis to create comprehensive and practical strategies which address the needs of our communities.

This article uses critical race feminism constructs to develop a more meaningful approach to deal with the negative effects of gangs within American communities. Critical race feminism is an apt vehicle for analysis of the gang problem because of its comprehensive, multi-disciplinary nature allows for a fuller examination of all of the variables that impact on gang involvement and gang crime. Rather than focusing on a single factor such as poverty, class conflict, or cultural deficiency, a critical race feminist approach would incorporate all of these and combine them with other causal factors in an effort to provide more comprehensive and far-reaching solutions. As will be discussed below, this is the type of approach that is needed to effectively deal with the complex and multi-faceted nature of the black women's relationship to gangs.

## II.

### ROLES OF BLACK WOMEN IN THE GANG REALM<sup>20</sup>

Black women's association with gangs can be conceptualized in eight different ways,<sup>21</sup> falling into two different categories: (1) women as gang members and (2) women that affect gang members. Within the first category there are four identifiable roles: (1) females who are members of female gangs, (2) females auxiliaries to male gangs, (3) females in sexually integrated gangs, and (4) females who are not actual gang members but want to be. In the second category there are also four roles: (1) girlfriends and wives of male gang members, (2) mothers of gang member's children, (3) blood relatives of gang members, and (4) concerned women in a gang affected community. These roles are representative of the multiple identities of black women<sup>22</sup>, and often occur simultaneously.

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18. Crenshaw, *supra* note 9, at 139-40.

19. See, e.g. ADRIEN WING, ED., CRITICAL RACE FEMINISM: A READER (1997) (composed of 45 different articles, in seven different areas, including sexual harassment, criminality, mothering, working, and global issues).

20. This part is based on research Professor Wing conducted in Los Angeles for a book tentatively entitled GANGS: BEYOND BLOODS AND CRIPS (with Jim Brown).

21. We must leave to others the task of characterizing and formulating roles applicable to other ethnic groups. See generally MARY HARRIS, CHOLAS: LATINO GIRLS AND GANGS (1988); JOAN MOORE, GOING DOWN TO THE BARRIO: HOMEBOYS AND HOMEGIRLS IN CHANGE (1991); JOHN QUICKER, HOMEGIRLS: CHARACTERIZING CHICANA GANGS (1983).

22. Mari Matsuda speaks of the multiple consciousness that women of color often possess: the constant shifting back and forth between levels of consciousness "produces sometimes madness, sometimes genius, sometimes both." Matsuda, *supra* note 9, at 8.

### A. Females as Gang Members

While female gang members are a minority, they constitute a significant component of the total gang problem.<sup>23</sup> The female gang members commit equally as violent acts as their male counterparts and such violence is expected to increase.<sup>24</sup>

Initiations begin the violent episode of gang life. Many girls are "jumped-in," an act where they must prove themselves by fighting multiple gang members simultaneously.<sup>25</sup> Another possible violent initiation is the scarring of the girl's own face through the use of a razor blade.<sup>26</sup> Equally as damaging are the initiations in integrated or auxiliary gangs that involve being sexed-in, where the girls have no choice as to which male gang members or how many of them she will have sex with.<sup>27</sup> In some instances, there is no consent and the girl is gang raped by the male gang members.<sup>28</sup> In an effort to regain some control over their lives, this physical and sexual abuse often results in increased violence as the girls respond by becoming even more violent.<sup>29</sup>

The growth of all-female gangs represents another response to the subordination that occurs within integrated and auxiliary gangs.<sup>30</sup> Independent, autonomous female gangs exist<sup>31</sup> and function separately from males and male gangs. More common however, is the auxiliary female gang that is affiliated with

23. Estimates of female gang participation have ranged from 10 to 30 percent of the total gang population. IRVING A. SPERGEL, *THE YOUTH GANG PROBLEM: A COMMUNITY APPROACH* 57 (1995). Spergel points out that those researchers using a self-report method to collect data estimated the proportion for female gang members to be as high as 33 percent. *Id.* at 57. Lower reported rates in some areas are attributable to the fact that many jurisdictions never classify females as gang members or report their status only as associates. Snyder & Sickmund, *supra* note 5, at 55.

24. MALCOLM W. KLEIN, *THE AMERICAN STREET GANG* 111 (1995). Klein expects that increases in male gang violence "will be matched by proportional increases in female gang violence." *Id.*

25. Gini Sikes, *Girls in the Hood: Violent Crime Among Teenage Girls*, 126 *SCHOLASTIC UPDATE*, Feb. 11, 1994 at 20.

26. The members of an all-female gang in Brooklyn, NY signal their membership by cutting themselves from ear to mouth with a razorblade so as to leave a large and visible scar. Ruaridh Nicoll, *Gang Babes Love to Kill, Scar-Faced Girls of Brooklyn Show Passion for Mayhem*, *THE GUARDIAN*, Nov. 12, 1995, at A24.

27. Carla Marinucci et. al., *Girls Gangs Growing in Numbers, Escalating Violence*, *HOUSTON CHRONICLE*, Jan. 1, 1995, at 38. This type of sexual initiation puts these girls in danger of contracting the AIDS virus. See, for example, discussion of the HIV initiation in SIKES, *supra* note 2, at 102.

28. SIKES, *supra* note 2, at 102.

29. Marinucci, *supra* note 29, at 38.

30. One female joined an all-female gang because she felt "like a secondary player in her boyfriend's gang." Marego Athans, et. al., *Girls Getting More Active, More Violent Inside Gangs*, *SENTINEL*, Dec. 17, 1995, at 1A.

31. A National Institute of Justice Survey found 99 independent female gangs in 35 different jurisdictions. G. David Curry et. al., *Gang Crime and Law Enforcement Recordkeeping*, Nat'l Inst. of Just. Research in Brief 8 (Aug. 1994). One Los Angeles area police department listed six autonomous girls gangs with ten to twenty members each. KLEIN, *supra* note 26, at 111.

and takes its name from an existing male gang.<sup>32</sup> One researcher found that it is the "male gang that paves the way for the female affiliate and opens the door into many illegitimate opportunities."<sup>33</sup> The Sex Girls, a female auxiliary to a male group, would even go to rumbles and fight along side the men.<sup>34</sup> Black females also participate in sexually integrated gangs. These "co-ed" gangs are predominantly male and usually exclude females from decision making aspects of gang activity,<sup>35</sup> but there have been rare instances where females have achieved leadership status over the males.<sup>36</sup>

On the periphery of each of these gangs is the "wannabe", the aspirational or potential gang member.<sup>37</sup> These may be only children who are pretending to be gang members, by wearing certain clothing and using gang hand signs, with no real intention to join the gang<sup>38</sup> or they may be recruits who are or will become active in the gang.<sup>39</sup>

In all three types of female gangs, girl gang members are committing crimes. These crimes include murder,<sup>40</sup> felonious assault,<sup>41</sup> armed robbery,<sup>42</sup> and even rape<sup>43</sup> or sexual battery.<sup>44</sup> The rates at which they are committing these violent crimes are rising at approximately twice the rate as for males.<sup>45</sup> The arrest rates for

32. ANNE CAMPBELL, *Female Participation in Gangs*, in *GANGS IN AMERICA* 163, 177 (C. Ronald Huff ed., 1990).

33. CAMPBELL, *supra* note 7, at 32.

34. *Id.* at 159.

35. Lee Bowker & Malcolm Klein, *Female Participation in Delinquent Gang Activity*, in *ADOLESCENCE* 15 (1980).

36. Milwaukee's Mama Sheik led a gang comprised of both black males and females. SIKES, *supra* note 2, at 184. One gang girl took over leadership of her boyfriend's gang when he was sent to jail. Adrian Nicole LeBlanc, *While Manny's Locked Up*, N.Y. TIMES MAGAZINE, Aug. 14, 1994, at 26.

37. SPERGEL, *supra* note 23, at 84.

38. DANIEL J. MONTI, *WANNABE: GANGS IN SUBURBS AND SCHOOLS* 45 (1994).

39. SPERGEL, *supra* note 23, at 84; *see also* MONTI *supra* note 38, at 31-2.

40. *See* Esther Oxford, *You Wanna be a Gang Sister? Kill for it*, THE INDEP., Dec. 1, 1993, at 35.

41. *See* Allen Howard, *Girl Gang Leader Pleads Guilty in Beating*, THE CINCINNATI ENQUIRER, Feb. 19, 1997, at B2.

42. *See* Joseph Mallia, *Violence by Female Teens Growing at Alarming Rate*, BOSTON HERALD, March 9, 1997, at A1.

43. *See id.*

44. *See* Howard, *supra* note 41, at B2.

45. Snyder & Sickmund, *supra* note 5, at 105; *see also*, Mallia, *supra* note 42, at A1; and Yvette Craig & Stephen G. Michaud, *More Girls into Killing, Experts Say*, FORT WORTH STAR-TELEGRAM, Feb. 8, 1997, at 1.

females committing property crimes has also increased more than the rate for males.<sup>46</sup>

In light of the increasing levels of violence and crime perpetrated by female gang members, their affiliation with gangs calls for further examination.<sup>47</sup> Similarly, the environment and the families of these black female gang members must be incorporated into the analysis in order to create a more comprehensive approach for developing preventive measures.

### B. *Females who Affect Gang Members*

There are four main roles in which African American females can influence and affect the lives of gang members: (1) the mothers and blood relatives of both male and female gang members, (2) the wives and girlfriends of male gang members, (3) the mothers of male gang member's children, and (4) other women within the community who are concerned for the well-being of these gang-affected youth and for their communities. The African American female in each of these roles may potentially affect the gang member's activities and to challenge and alter the negative impact of gangs upon their communities.

Mothers may play the most important role in a gang member's life. These women bear the primarily responsibility for nurturing, supervising, and educating their children. Given the shortage of males within the black community,<sup>48</sup> a majority of these women are single parents<sup>49</sup> struggling to survive at the poverty level, oftentimes in a violent environment. Many of these mothers are doing everything possible to provide their children with the emotional, financial, and spiritual attention they need; and are shocked, appalled, and then finally resigned when street life claims their children.<sup>50</sup> Some mothers may be unable to provide such nurturing for their children because they are involved in criminal behavior and drug use; and are too overwhelmed by their own circumstances to confront with the problems

46. See Snyder & Sickmund, *supra* note 5, at 117; and Craig & Michaud, *supra* note 45, at 1.

47. It is our hope that this work will inspire more research and evaluation by social scientists, criminologists, and legal scholars into the dynamics of black females within gangs.

48. High incarceration and mortality rates for black males have caused a shortage of black males in many urban centers. A 1995 study by the Justice Department showed one-third of black men age 20-29 are incarcerated or under court supervision. Fox Butterfield, *Blacks in their 20's have Trouble With the Law*, N.Y. TIMES, Oct. 5, 1995, at A5. Black males have been referred to as an "endangered species" for reasons such as the fact that they are 10 times as likely to be murdered as white males. Tracie Reddick, *Do Black Males Need Another Mentoring Program?*, THE TAMPA TRIBUNE, May 26, 1996, at 1. Black males are also the most likely group to get and die of cancer. *Black Men Have Highest Incidence of Cancer*, THE PATRIOT LEDGER, June 11, 1996, at 19.

49. In the early 1980's "48 percent of black families with children under 18 were headed by women", and "68 percent of births to black women aged 15 to 24 were outside marriage". GARY LAFREE, *Race and Crime Trends in the United States: 1946-1990*, in ETHNICITY, RACE, AND CRIME 169, 183 (Darnell F. Hawkins ed., 1995). From 1959 to 1987 the proportion of poor black families headed by women rose from 46 to 74 percent. Audrey Rowe, *The Feminization of Poverty: An Issue for the 90's*, 4 YALE J.L. & FEMINISM 73, 74 (1991).

50. LEON BING, DO OR DIE 183 (1991)(describing Mrs. Lunceford's eventual resignation to her son's choice to be a gang member).

facing their children.<sup>51</sup> Yet, these women can be a positive influence and aid in preventing gang violence whether through parent-based community groups<sup>52</sup> or individually by exerting control over their own children.<sup>53</sup>

Other blood relatives of gang members can also play positive roles in preventing and discouraging gang affiliation and gang violence. Sisters, daughters, aunts, and cousins can provide support and a sense of family to gang members which will help diminish dependency on gang association and induce gang members to leave the gang life.<sup>54</sup>

Girlfriends and wives of male gang members can also be influential in convincing them to leave the gang and lead traditional, non-criminal lifestyles.<sup>55</sup> Such women have often been called both the cause and the cure to much of the gang violence. Many fights within and between gangs are attributable to women, who are often seen as the "property" of the gang<sup>56</sup> and as the "prize" which they are fighting for.<sup>57</sup> Yet, these women can and have used their influence to affect gang members in a more positive way. As one gang member stated, "If it wasn't for [his wife] . . . , [he would] be dead or in the penitentiary, or a whole lot of other people would be dead."<sup>58</sup>

Black women can also exert influence over the lives of gang members as the mothers of gang member's children. Many of these fathers have multiple children and see procreation as an indicator of masculinity.<sup>59</sup> Some mothers of gang member's children are gang members themselves. The rapper, Ice-T, describes his daughter's mother as a "Criplette" who was "down" with the Hoover Crips (Los Angeles) when they met.<sup>60</sup> These women can affect the fathers of their children by encouraging the gang member take responsibility for his actions, to provide for his children and to be a good father.

51. One of Carl Taylor's case studies, Erica is an example of this. Erica is 23, a mother of five who lives with her boyfriend, and who is selling drugs out of the house. CARL TAYLOR, *GIRLS, GANGS, WOMEN AND DRUGS* 59 (1993).

52. See SPERGEL, *supra* note 23, at 283-4.

53. One gang member encourages mothers to exert such control: "You have weight with your children, you just don't know." YUSUF JAH & SISTER SHAH' KEYAH, *UPRISING: CRIPS AND BLOODS TELL THE STORY OF AMERICA'S YOUTH IN THE CROSSFIRE* 62 (1995)(interviewing OG "Red").

54. "Monster" Kody Scott, a former Crip in Los Angeles, stated in his autobiography, "To continue banging would be a betrayal first of my children, who now depend on me for guidance, morals, and strength." Sanyika Shakur, *MONSTER: THE AUTOBIOGRAPHY OF AN L.A. GANG MEMBER* 357 (1993).

55. SPERGEL, *supra* note 23, at 109.

56. Martin Sanchez Jankowski, *ISLANDS IN THE STREET: GANGS AND AMERICAN URBAN SOCIETY* 146 (1991).

57. CAMPBELL, *supra* note 7, at 31.

58. JAH & SHAH' KEYAH, *supra* note 53, at 139 (interviewing "General" Robert Lee and his wife of 21 years, Shelia.)

59. One father with seven children by seven different women was considering "giving" his current girlfriend the baby she wanted. Interview with gang member, in Los Angeles, Cal. (June 1994).

60. Ice-T, *forward* to JAH & SHAH' KEYAH, *supra* note 53, at 9.



One other role black women play in relation to the gang realm is that of a concerned citizen. These women live in or work in these communities and are affected by the negative impact that gangs can have. There are also women who are not physically connected with the gang problems of the inner city but who none the less care what happens to these areas and to the children and families living there. Many women such as educators, scholars, and journalists are genuinely concerned about the problems associated with gang violence.<sup>61</sup> These women can affect gang members by helping to find better solutions to the gang problem and by becoming active within the gang affected communities to implement such solutions.

The multiple roles that black women play with respect to gang member have been ignored thus far in gang literature. Researchers seldom mention gang member's mothers and mention their children even more rarely. Yet, these women will have the greatest affect on the lives of gang members. Their significance with regard to the gang problem should not be ignored but should be utilized and employed to create more effective approaches to restoring gang affected communities.

### III.

#### THEORIES OF GANG INVOLVEMENT AND CRIMINALITY

The classic theoretical explanations of gang involvement and criminality have focused primarily on males. This male-centered analysis is purportedly a result of the predominance of males in gangs and criminal activity. Theories that do focus on females tend to ignore racial and ethnic factors. Thus, there is no theoretical explanation that addresses the multiple perspectives of the black female gang member.

Since Frederick Thrasher's classic study of gangs in Chicago<sup>62</sup> sociologists and criminologists have devoted much of their efforts to researching and analyzing the gang phenomenon.<sup>63</sup> Many of the applicable theories focus on juvenile delinquency. One of the most prevalent theories addresses the concept of subculture.

Robert Merton's strain theory provides a foundation for the subculture theories by recognizing that within the lower social and economic classes there are structural impediments to success which result in criminal activity.<sup>64</sup> Albert Cohen extended this to subcultures, stating that delinquent gang activity was a group solution to the frustrations experienced by lower class males.<sup>65</sup> Walter B. Miller

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61. Examples of women who care about the effects of gangs upon our communities and upon our children include: Adrien Wing, a Professor of Law; Anne Campbell, a scholar and researcher; and Gini Sikes, a journalist.

62. FREDERICK THRASHER, *THE GANG: A STUDY OF 1,313 GANGS IN CHICAGO* (1927).

63. Numerous sociological and criminological theories that could be examined here, but because of their abundance and our own constraints, we will only review a few of the most prevalent theories.

64. Robert Merton, *Social Structure and Anomie*, 3 AM. SOC. REV. 5 (1938).

65. EILEEN B. LEONARD, *WOMEN, CRIME AND SOCIETY* 118-120 (1982)(citing ALBERT K. COHEN, *DELINQUENT BOYS: THE CULTURE OF THE GANG* (1955) and HERMAN MANNHEIM, *COMPARATIVE CRIMINOLOGY* (1965)).

posits that the gang is a normal aspect of lower class life and is a norm within that subculture.<sup>66</sup>

Modern structural-behavioral theorists, like William Julius Wilson, argue that factors such as unemployment, poverty, and in some cases racial or gender oppression, are the basis for the problems in black communities and have resulted in the development of an "underclass".<sup>67</sup> Some have argued that "underclass" African American males have adapted to structural oppression by modifying their values and their culture.<sup>68</sup>

A related theory is Edwin Sutherland's differential association theory, based on cultural transmission. Sutherland's thesis is that delinquency is learned through association and interaction with lawbreakers.<sup>69</sup> Similarly, social learning theory suggests that juveniles learn delinquent behavior and that their behavior is reinforced through social interaction.<sup>70</sup>

All of these theories could potentially be applicable to females but most researchers have chosen to focus on males. One researcher, Ruth Morris did apply the structural strain theory to female delinquents and surmised that a deviant subculture did not exist for females.<sup>71</sup> Other applications of traditional theories to females have resulted in flawed biological and sex-role theories.<sup>72</sup> Some more recent theories have argued that increased opportunities and "liberation" for women has resulted in increases in female criminality.<sup>73</sup> Similarly, Dorie Klein and June Kress contend that economic factors and the historical social position of women must be examined to explain female crime. They claim that "women's lack of participation in 'big time' crime highlights the larger class structure of sexism that is reproduced in the illegitimate marketplace."<sup>74</sup>

After surveying the traditional and more recent sociological and criminological theories it becomes apparent that no one theory has attempted to explain criminality based on multiple factors. These theories essentialize the criminal experience, focusing on only one factor: race, class, or gender; and fail to be

66. See generally Walter B. Miller, *Lower Class Culture as Generating Milieu of Gang Delinquency*, 14 J. SOC. ISSUES 5 (1958).

67. See generally WILLIAM JULIUS WILSON, *THE TRULY DISADVANTAGED* (1987).

68. See, e.g., RICHARD MAJORS & JANET MANCINI BILLSON, *COOL POSE: THE DILEMMA OF BLACK MANHOOD IN AMERICA* (1992).

69. BARRI FLOWERS, *THE ADOLESCENT CRIMINAL: AN EXAMINATION OF TODAY'S JUVENILE OFFENDER* 130(1990)(citing EDWIN H. SUTHERLAND, *PRINCIPLES OF CRIMINOLOGY* (1939)).

70. *Id.* at 131.

71. Ruth R. Morris, *Attitudes Toward Delinquency by Delinquents, Non-Delinquents and Their Friends*, 5 BRIT. J. OF CRIMINOLOGY 249, 251 (1965).

72. See generally Carolene Gwynn, *Women and Crime: The Failure of Traditional Theories and the Rise of Feminist Criminology*, 19 MONASH U. L. REV. 92 (1993).

73. See FRED A. ADLER, *SISTERS IN CRIME: THE RISE OF THE NEW FEMALE CRIMINAL* (1975); See generally Gwynn, *supra* note 72, at 100-02.

74. Dorie Klein & June Kress, *Any Woman's Blues: A Critical Overview of Women, Crime, and the Criminal Justice System*, CRIME & SOC. JUST., Spring-Summer 1976, at 41.

applicable to the black female gang member's multiple identities. Thus, we propose the creation of a comprehensive, multi-factored analysis, which integrates and synthesizes the existing theories.

Using a multi-disciplinary critical race feminism approach a comprehensive analysis should combine elements of subculture, structural strain, cultural deficiency, learning, and feminist theory. The black female gang member's social class, culture, family, friends, peers, opportunities, and victimization are all factors that impact on her criminality and gang involvement.<sup>75</sup>

The black female gang member is triply burdened by her class, race and gender. The black female gang member lives primarily in the poor inner-city regions of large cities.<sup>76</sup> She comes from a poor family, usually headed by a single female.<sup>77</sup> She feels her choices are limited and she strives to overcome economic and gender repression.<sup>78</sup> She turns to the subculture of the gang to fulfill her need for power and status and takes the gangs values for her own, becoming increasingly involved in violence and crime.<sup>79</sup> Hers becomes a subculture of deviance, "a subcultural life of poverty and crime."<sup>80</sup>

She turns to the gang to protect her from violence<sup>81</sup> and to provide her with a family-like relationships.<sup>82</sup> Her father is often absent<sup>83</sup> and she is deprived of the kind of stable family environment every child needs.<sup>84</sup> She is also deprived of positive role models and mentors since most of the people she comes into contact with are criminals or their victims.<sup>85</sup>

Due to all of these and other contributing factors, the needs of females within these communities are not being met. The African American female must turn elsewhere to fulfill them. In the gang she hopes to find love, protection, acceptance, belonging, guidance, and support. Yet, in the gang she also finds violence and crime. For the African American female a variety of factors intertwine and produce an

75. Recent researchers have found that a combination of factors, such as economic stability, childhood victimization, and peers are all criminogenic influences. Deborah Baskin et. al., *The Political Economy of Female Violent Street Crime*, 20 *FORDHAM URB. L. J.* 404, 406 (1993).

76. The generalizations which we offer here are not applicable to every black female gang member, but the current research shows that these factors are common among female gang members. See generally CAMPBELL, *supra* note 7, at 33-48; SIKES, *supra* note 2; and TAYLOR, *supra* note 51, at 9-10.

77. See LAFREE, *supra* note 49.

78. TAYLOR, *supra* note 51, at 8.

79. See TAYLOR, *supra* note 51, at 7-11, and CAMPBELL, *supra* note 32, at 171-82.

80. CAMPBELL, *supra* note 7, at 267.

81. CAMPBELL, *supra* note 32, at 173-76.

82. *Id.* at 175.

83. See LAFREE, *supra* note 49.

84. See generally JAMES GARBARINO, *RAISING CHILDREN IN A SOCIALLY TOXIC ENVIRONMENT* 47-62 (1995).

85. Alison Abner, *Gangsta Girls*, *ESSENCE*, July 1994, at 64.

inner-city "market" for gang involvement. The prevalence of factors such as poverty, lack of opportunity, and lack of a stable family environment within the inner-city explains the high rates of gang membership in those communities.<sup>86</sup> Through the integration of existing sociological and criminological theories these and other causal factors can be identified<sup>87</sup> and such factors will provide a basis to develop more effective solutions to gang violence and crime.

#### IV.

#### PRAXIS: STRATEGIES AND PROGRAMS

Suppression is the most commonly used strategy to combat the gang problem.<sup>88</sup> Federal agencies, law enforcement, and prosecutor's strategies are aimed at suppressing and punishing gang activity. Police departments have developed specialized programs to conduct street-sweeps or dragnets, intensify gang surveillance, and to increase pressure and control of gang members.<sup>89</sup> Some prosecutor's offices have also established specialized gang units.<sup>90</sup> These offices often use, vertical prosecution, in which one prosecutor handles a particular case from beginning to end, in gang-related cases.<sup>91</sup>

Law enforcement and prosecutors have been aided in their suppression efforts by new laws and statutory enactments. California's Street Terrorism Enforcement and Protection Act is one example of state statutory responses to gang violence and has served as a model for many other states.<sup>92</sup> This Act makes participation in unlawful gang activity a crime and subjects gang affiliated criminals to sentence enhancements.<sup>93</sup> Parents of gang members may also be prosecuted under the Act.<sup>94</sup> The 1994 Violent Crime Control and Law Enforcement Act also provided for sentence enhancements of gang affiliated offenders.<sup>95</sup> This Act also provided for

86. See generally, TAYLOR, *supra* note 51, at 7-10.

87. Further empirical research is needed to establish the accuracy of the factors we have identified and to identify others. It is our hope that our work will inspire such research.

88. Irving Spergel et al., *National Youth Gang Suppression and Intervention Program*, JUV. JUST. BULLETIN 2 (1990).

89. See generally SPERGEL, *supra* note 23, at 197, and KLEIN, *supra* note 24, at 161.

90. Claire Johnson et al., *Prosecuting Gangs: A National Assessment*, NAT'L. INST. OF JUST. RESEARCH ON BRIEF, Feb. 1995, at 5.

91. SPERGEL, *supra* note 23, at 210 (citing Richard M. Daley, *Gang Prevention Unit*, Cook County State's Attorney's Office Report (1985).

92. David R. Truman, *The Jet and Sharks are Dead: The State Statutory Responses to Criminal Street Gangs*, 73 WASH. U. L.Q. 683, 688 (1995).

93. *Id.* at 686.

94. SPERGEL, *supra* note 23, at 211 (citing Susan Burrell, *Gang Evidence: Issues for Criminal Defense*, 30 SANTA CLARA L. REV. 739, 745 (1990)).

95. Pub. L. No. 103-322, 108 Stat. 1796, sec 15001 (codified as amended at 42 U.S.C.A. Ch. 136).

adult prosecution of certain juvenile offenders in relation to gang activity.<sup>96</sup> These statutes and provisions are designed to increase the suppression and punishment of gang activity. Such efforts to suppress gang activity have had limited success at combating gang violence.<sup>97</sup>

Prevention and intervention strategies may be a more effective strategy, but they are less prevalent and often insufficiently funded.<sup>98</sup> Nonetheless, there are programs that attempt to implement a prevention or intervention strategy.<sup>99</sup> One such program is the Safe Streets program in Pierce County, Washington, which focuses on high-risk youths and targets communities with high rates of school drop out and delinquency.<sup>100</sup>

One prevention oriented program was designed for presently gang affected youths, ex-gang members, and at-risk youths. This program, Amer-I-Can, is a life skills management curriculum, founded by football hall of fame, actor, and activist Jim Brown. The program and its facilitators assist in the development of personal skills such as problem solving, emotional control, goal setting, and employment retention. The Amer-I-Can program has proven effective for all types of people and is one of few programs that involves African American females as participants, facilitators, administrators, and consultants.<sup>101</sup>

Other contemporary prevention programs are community based. The Youth Outreach program in Columbus, Ohio, and the Alternative to Gang Membership program in Paramount, Cal., stress prevention through early intervention and provide alternative recreational and educational activities for youths.<sup>102</sup> Some of these types of programs focus on gang violence reduction and feud mediation.<sup>103</sup> Most programs combine a variety of components and provide a mix of services, including family intervention, employment assistance, or conflict mediation.<sup>104</sup>

Prevention programs that specifically address the needs of females are exceptionally rare. Congress did allocate funding for such programs, but only twelve

96. Pub. L. No 103-322, 108 Stat. 1796, sec. 15002 (codified as amended at 42 U.S.C.A. Ch. 136).

97. SPERGEL, *supra* note 23, at 177.

98. The 1994 crime bill allocated less than a third of its' \$30 billion to prevention programs. Limited resources is often cited as one of the obstacles to effective prevention programs. See CATHERINE CONLY, *STREET GANGS: CURRENT KNOWLEDGE AND STRATEGIES* 29 (1993) and SPERGEL, *supra* note 23, at 296.

99. There are numerous program that could be listed, we will only mention a few here. For more information on such programs see CONLY, *supra* note 98, at 27-60; and SPERGEL, *supra* note 23, at 247-96.

100. SPERGEL, *supra* note 23, at 257.

101. Professor Wing is a consultant for Amer-I-Can.

102. KLEIN, *supra* note 24, at 154-55.

103. See KLEIN, *supra* note 24, at 154-55 (describing these and a variety of other community programs).

104. CONLY, *supra* note 98, at 30.

programs were devoted to at-risk females.<sup>105</sup> The needs and difficulties of the African American female in particular are not being specifically addressed by these existing programs.

A new approach to developing prevention and intervention programs is needed to ensure that black females are not excluded or ignored. By centering upon the black female within the gang affected community more effective programs can be developed that will benefit her and the entire community.

A more effective and comprehensive proposal to developing solutions to the gang problem must address the differing roles of the African American female in the gang realm. Drawing on critical race feminism, solutions must be crafted as to be sensitive to the multiple experiences and perspectives of these women. Such solutions and the resulting programs must be targeted at improving the status of black women in all their roles. By uplifting these women we will, in turn, be uplifting the entire community.

A critical race feminism based stratagem would incorporate all of the factors leading to gang affiliation for black females and it would also incorporate and enlist the aid of all those women that affect gang members. Such an approach should include assistance programs to aid mothers and families, and to meet such needs as child care, health care and employment assistance.<sup>106</sup> Assistance in many of these areas will help to ensure that the African American female has a stable family environment and is able to provide such an environment for her children.

The program's design should also endeavor to increase educational and vocational opportunities for African American females. Early intervention educational programs, like the Perry Preschool Project,<sup>107</sup> target children at risk for school failure, and will ensure African American females have a solid educational base, which will increase her employment opportunities. Other elements, such as providing positive role models, life skills management, and parenting skills training should also be incorporated into any new program.

A new approach, based on a critical race feminism, centered on the African American female, would be multi-disciplinary and would result in a multi-faceted program. Such a program would include the elements we have mentioned and many others to create more efficient solutions to deal with the gang problem and the negative impact it has on our communities. The recommendations we make are intended to be comprehensive, providing a multi-dimensional strategy, but our efforts in this article should be considered as introductory and as an invitation for further research and development in this area. We acknowledge that such a vast problem cannot be solved through these suggestions alone. Yet, we believe that the approach outlined above will provide a solid base upon which to build.

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105. G. David Curry, *Gang Related Violence*, CLEARINGHOUSE REV. 443, 447 (Special Issue 1994).

106. An example of this type of program was created under New Jersey's Hispanic Women's Demonstration Resource Centers Act and provided a variety of services directed at providing relief to women and families. See Gloria Bonilla-Santiago, *Legislating Progress for Hispanic Women in New Jersey*, SOC. WORK 270 (1989).

107. Jane Watson, *Crime and Juvenile Delinquency Prevention Policy: Time for Early Childhood Prevention*, 2 GEO. J. ON FIGHTING POVERTY 245, 251 (1995).

## CONCLUSION

In conclusion, effective solutions to gang violence and crime involve placing black women at the center, rather than at the margins of the analysis. As we have discussed, these women have multiple identities and play many roles, inextricably linking them to the problems and also to the solutions of gang association.

By taking a critical race feminism approach to the formulation of solutions, programs can be developed that consider the African American woman in all of her roles, including her role as gang member, girlfriend, wife, and mother. A critical race feminism strategy will ensure that programs are more comprehensive and are better able to provide a variety of resources for the diverse group they serve. Such programs will be beneficial to the entire community as they reach the women within the community and provide them with the resources they need to improve their lives, and the lives of their children and their families. By placing the African American woman at the center of the theory, she will become the center of the praxis, and the center of solutions to the gang problem.

