



Do No Harm:
A Briefing Paper
on the Reentry of Gang-Affiliated Individuals in New Jersey

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Executive Summary

This briefing paper provides background information and identifies promising strategies to help guide New Jersey's policy and practice on the reentry of gang-affiliated individuals. Its purpose is to synthesize and translate existing approaches, as well as new ideas, that could be implemented in New Jersey to improve reentry outcomes for gang-affiliated individuals. As such, it is intended for engaged practitioners and the policymaking community. The paper is part of a series of briefings on specific aspects of reentry published by the New Jersey Institute for Social Justice (NJISJ), a policy research and advocacy organization based in Newark, New Jersey.

The identified strategies share a unifying theory of change: in order to be effective, reentry interventions for gang-affiliated individuals should be 1) targeted and tailored and 2) sustained and intensive. The highlighted approaches include both specific programs and emerging frameworks that could be piloted in the near-term. Rather than seeking to eliminate gangs, they provide lessons that could be used to achieve a more pragmatic goal: to make gang-related activity less violent and pervasive. The key lessons learned include:

- On the street, gang membership can be used to negotiate a place to live, a source of income, and a loyal set of friends; successful interventions will do the same.
- Comprehensive community-wide approaches offer the greatest likelihood of success.
- Direct 'carrot-and-stick' engagement with gang-affiliated individuals during and after release has demonstrated promise in reducing gang-related crime.
- Rewards and sanctions can be calibrated to match the risks and behaviors of the targeted individuals.
- Incremental approaches and violence reduction benchmarks are appropriate.
- Interventions should be maximally data-driven and experience-based.

INTRODUCTION: REENTRY AND GANGS

Gang violence and prisoner reentry issues have commanded increasing attention from policymakers, researchers, and community leaders in New Jersey over recent months. Gang-related concerns have become commonplace in public policy debate, particularly in urban areas. Likewise, prisoner reentry issues are now mainstream public discourse.

This issue-specific attention notwithstanding, prisoner reentry and gangs have received comparatively little consideration as mutually reinforcing, interconnected phenomena. Given the current prominence of each issue in its own right, and their interconnectedness, the time to look at reentry and gangs together has arrived. As former Attorney General John Farmer, Jr. noted in a recent op-ed in the *Star-Ledger*, “The gang problem is in many respects a reentry problem.”¹

The “gang problem” is indeed a “reentry problem,” but not necessarily vice versa. While 20% of New Jersey’s prison population are identified as “gang-affiliated” according to recent Department of Corrections’ estimates, 80% are not.² Though most reentry issues are thus not gang issues, successfully addressing gang issues will require reentry strategies in light of the prevalence of incarceration and parole supervision within the lives of gang-affiliated individuals.

In order to shed light on this largely unexplored intersection, this briefing paper provides background information and identifies promising strategies to help guide New Jersey’s policy and practice on the reentry of gang-affiliated individuals. Its purpose is to synthesize and translate existing approaches, as well as new ideas, that could be implemented in New Jersey to improve reentry outcomes for gang-affiliated individuals. As such, it is intended for engaged practitioners and the policymaking community.

The paper is part of a series of briefings on specific aspects of reentry published by the New Jersey Institute for Social Justice (NJISJ), a policy research and advocacy organization based in Newark, New Jersey. Other papers from the series examine reentry

topics related to family, employment, health, addiction, the role of victims, legal barriers, and juvenile issues.³ Over the past four years, the Institute has focused substantial attention on research and support for efforts to address how the state responds to the issue of prisoner reentry. This work was launched with the New Jersey Reentry Roundtable, chaired by John Farmer, Jr. and former Public Defender Stanley Van Ness, which commissioned research on and analysis of New Jersey's reentering population and their challenges. The Roundtable, which included participation from state policy leaders, including the Commissioner of Corrections, the Attorney General, and the Chairman of the State Parole Board, as well as researchers, community leaders, and formerly incarcerated individuals, released its findings and recommendations in a major report, *Coming Home for Good: Meeting the Challenge of Prisoner Reentry in New Jersey*, which has provided a blueprint for those in the state working on these issues.⁴

This paper builds upon the Roundtable's findings, similarly motivated by the understanding that the moment of reentry presents a hybrid of opportunity and vulnerability. Gang interventions at the time of reentry – understood as both a potentially transformative crossroads as well as a captive (custodial) moment – have the advantage of providing fertile, controlled settings. Because gang-affiliated individuals can be identified and counseled while under prison and parole supervision, reentry is a time period wherein relatively modest investment can yield disproportionately large benefits in terms of reducing gang activity and membership. The urgency for such investment derives from a basic empirical finding: gang-affiliated parolees are more likely to have negative parole outcomes and higher recidivism rates than non-gang-affiliated parolees, ultimately resulting in more crime and victimization.⁵

The consideration of targeted reentry strategies is particularly timely given recently reported increases in violent crime rates. A study released earlier this year by the Police Executive Research Forum (PERF) reported increases in all three major categories of violent crime: robberies, aggravated assaults, and homicides.⁶ According to the PERF data, Newark's homicide rate rose by 25% between 2004 and 2006.

Consistent with these national trends, New Jersey law enforcement officials have reported that gang membership and gang-related violence are rising. A New Jersey State Police Gang Bureau survey conducted in 2004 claimed that New Jersey had at least 17,000 gang members, the majority over the age of eighteen.⁷ Just two years later, in 2006, law enforcement officials claimed that the number of gang members in New Jersey had risen dramatically, to 25,000.⁸ (For its part, the New Jersey Department of Corrections estimates that there are 10,700 gang members in New Jersey's prisons, halfway houses, and parole system).⁹ These claims, however, warrant further scrutiny given their striking rate of increase over such a short time period and municipal self-reporting methodology.

More generally within the realm of gang-related discourse, questionable claims are a symptom of the broader patterns of inflamed rhetoric often unsupported by good data that have characterized the debate about how to address gang issues. While gang activity poses real threats to public safety and thus warrants robust responses, interventions should be proportional in scale and scope to the quantity and quality of the actual criminal behavior. The law of unintended consequences dictates that policy and practice not grounded in experience and data run the risk of doing more harm than good, whether measured by an inefficient allocation of scarce resources or inadequate results. The strategies presented in this paper can help minimize the risk of such negative externalities – of unintentionally doing harm – and, affirmatively, help maximize the chances of making gang activity less violent and pervasive.

I. BACKGROUND AND CONTEXT

Gangs and Gang Interventions

“The problem of defining a gang has hung over research on gangs like a dark cloud threatening to rain on a picnic,” laments criminologist James Houston.¹⁰ Gangs are not monolithic across time and place, let alone across a given New Jersey city, so a firm definition may be impossible to come by. Nevertheless, there are four widely accepted components of gang activity and structure: criminal behavior, group organization, continuing interaction among members, and identifiable leadership.¹¹ According to the California State Task Force on Gang Violence, a gang is a group of people who interact at a high rate among themselves to the exclusion of other groups; have a group name; claim a neighborhood or other territory; and engage in criminal and other anti-social behavior on a regular basis.¹²

There is significantly more agreement on the types of social conditions and demographics that correlate with gang presence. Researchers have identified a set of primary contributing factors, including the loss of industrial jobs, inadequate training for service economy jobs, racial segregation, and consequent strains on family life.¹³ One study of a sample of major U.S. cities found the two most common predictors of gang development to be a scarcity of job opportunities and a high percentage of residents under age thirty.¹⁴ In New Jersey and elsewhere, most gang members are young people of color who live in poor communities.

While myriad approaches to gang violence prevention and reduction have been implemented across the country, few if any have proven effective. During the 1960s and 1970s, supportive interventions such as opportunity provision and skills training were most common. Beginning in the late 1970s, suppression became the dominant approach and remains the anti-gang tactic of choice today. As a result, gang-affiliated individuals have cycled in and out of prisons in much larger numbers over the past quarter century.

According to popular field taxonomy, the various intervention approaches can be grouped into three broad categories: 1) social intervention, 2) opportunity provision, and 3) suppression.¹⁵ Social intervention relies on street outreach personnel and social workers to counsel gang-affiliated individuals directly. Opportunity provision includes job preparation, training, and placement, and the provision of educational opportunities. Suppression is the arrest, prosecution, and sentencing of gang members and the sharing of surveillance information to accomplish these ends.

Among the more recent national studies evaluating the effectiveness of anti-gang programming, the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) *National Youth Gang Survey* (2004) is widely considered the seminal publication. The survey found that a "comprehensive, coordinated, and localized" mix of social intervention, opportunity provision, and "carefully targeted" suppression is most effective in preventing and reducing gang violence.¹⁶ According to the findings of multiple longitudinal OJJDP-sponsored evaluations in Chicago, Riverside, CA, and other cities, "the gangs program model that holds the most promise is likely to contain multiple components, incorporating social intervention, treatment, suppression, and community mobilization approaches."¹⁷ The recommended "comprehensive community-wide model" consists of two coordinated strategies: 1) provision of a range of social services and opportunities through education, job training and placement, family support, and counseling and 2) targeted control of violent or potentially violent gang offenders in the form of increased law enforcement supervision and suppression. Multi-faceted, holistic approaches are thus believed to offer greater chances of success than uni-dimensional strategies, such as suppression alone.¹⁸

Reentry Dynamics of Gang-Affiliated Individuals

Successful reintegration into lawful and productive community life following incarceration is difficult.¹⁹ For gang-affiliated individuals, it is even more so. Given the typical gang member's involvement in crime and unlawful activity from an early age, it may be more accurate to think of returning gang members as never integrated – and the

consequent challenge being not reintegration but rather integration. Most gang-affiliated individuals existed on the margins of mainstream society before they were imprisoned; ex-prisoner status does not help their prospects.

Incarcerated gang members face especially acute challenges when they return to the community. The majority have little or no work skills and limited education. They are part of social networks predicated upon relationships and behaviors that both accelerate the rate of crime as well as the severity of the crime committed. Given this mutually reinforcing interplay of low job skill and a history of high criminal activity, it is not surprising that gang-affiliated individuals exhibit higher recidivism rates than non-gang members and, for both age and commitment offense categories, gang membership strongly correlates with negative parole outcomes.²⁰

After release from prison, gang-affiliated individuals can reestablish neighborhood-based ties to gang networks within hours or minutes of returning home. For many, the gang represents the most accessible resource for stabilizing their economic and social prospects. On a daily basis, the gang establishes and maintains a reasonably reliable, relatively predictable, and most certainly proximate means of adapting to community life after incarceration. Gangs offer an immediate path in the first moments of post-incarceration life, the most critical point in the reentry timeline, providing short-term material and psychological benefits and thus a welcome cushion – a familiar vehicle to soften the blow of repeated imprisonment and release.²¹ In the words of one returning gang member:

The gangs played an important part in my life when I didn't have anything like clothes or shoes to put on my feet. 'Cause I gained so much weight when I left the penitentiary, them old clothes couldn't do nothing for me. So I went to my friends, my brothers, and they gave me all that, that's what they call, something like a care package. They gave me a little money to go buy me some clothes, you know what I'm saying? You get out the penitentiary, you get \$10 gate money. That's it. McDonalds and a pack of cigarettes, you all over with. So what the prison system basically doing, they just set us up for downfall again.²²

Gang-Related Prison and Parole Programs in New Jersey

In an effort to address these pre- and post-release challenges, New Jersey's Department of Corrections (DOC) and State Parole Board (SPB) support a handful of statewide anti-gang initiatives. To date, however, these programs have not been evaluated and so their effectiveness is unknown. Likewise, regarding their operations, methodology, and benchmarks, publicly available data are limited.

The DOC operates the Security Threat Group Management Unit (STGMU) program in Northern State Prison in Newark to segregate gang leaders and isolate “problematic gang-affiliated inmates” from the general prison population. According to the DOC, the unit provides, “a structured and controlled environment where inmate behavior is closely monitored by a multidisciplinary team of departmental staff.”²³ To complete the three-phase STGMU program, the identified gang members are required to participate in programs the DOC describes as, “dealing with such areas as alternatives to violent behavior, cognitive development and non-violent living.” In order to “graduate” from the program and move into the general population, participants must sign an ‘Acknowledgment of Expectations’ that outlines their responsibilities for successful program completion and requires them to renounce their Security Threat Group affiliation (i.e., gang membership). The DOC also runs the Gang Awareness and Prevention Program (GAPP), which brings inmates who have renounced their gang membership into schools and other civic venues to warn of the risks of gang activity.

On the parole side, to monitor and supervise gang-affiliated individuals after they leave prison, the SPB created a track known as Gang Reduction and Aggressive Supervised Parole (GRASP). According to the SPB, GRASP, “identifies, monitors, and aggressively supervises parolees who were identified as gang members while incarcerated to ensure strict compliance with the terms of their parole.”²⁴ In 2006, the SPB claimed that approximately 1,000 identified gang members were under parole supervision.²⁵

Though not exclusively gang-focused, there are two publicly funded violent crime

reduction initiatives in New Jersey worth noting given their potential to include targeted gang-related reentry strategies: the Greater Newark Safer Cities Initiative (GNSCI) and Operation CeaseFire. Operated by the Police Institute at Rutgers-Newark, GNSCI targets “at-risk” probationers and parolees – those deemed “most likely to kill or be killed” – in the greater Newark area and, most recently, in Camden and Trenton.²⁶ Guided by a working group composed of law enforcement, local and state officials, parole officers, clergy and social workers, GNSCI encourages the individuals it serves to accept help, primarily in the form of social services and job training, while reminding them of the consequences of returning to criminal behavior. Similarly broad in its violent crime reduction charge, Operation CeaseFire is a general campaign “to stop the next shooting,” engaging law enforcement, trained outreach workers, and clergy to lead a variety of public awareness and community mobilization efforts.²⁷ In addition to the original pilot sites of Newark and Irvington, in 2006 Governor Corzine approved funding to expand Operation CeaseFire to eleven other New Jersey cities. To date, neither GNSCI nor Operation CeaseFire provides reentry services specifically targeted at and tailored for gang-affiliated individuals; according to a Police Institute representative, “there are currently no programs or resources to assist those who would like to leave the gang lifestyle.”²⁸

II. PROMISING STRATEGIES

Though to date few programs have definitively been shown to be effective, there are gang-related reentry strategies worthy of consideration for application in New Jersey. Some of the following approaches have been implemented, to varying degrees, while others are proposed adaptations of existing prison and parole practices. They share a unifying theory of change: in order to be effective, reentry interventions for gang-affiliated individuals should be 1) targeted and tailored and 2) sustained and intensive. As with the greater universe of reentry interventions, they should address day-to-day instrumental needs – most notably employment, housing, and support networks. On the street, gang membership can be used to negotiate a place to live, a source of income, and a loyal set of friends. Successful interventions will do the same.

Pre-Release Interventions

In New Jersey and elsewhere, variations of the Security Threat Group Management Unit approach remain the dominant, and perhaps only, pre-release intervention specifically targeted at gang-affiliated individuals. A national review of state correctional systems found few substantive differences, with most states employing the control-oriented “segregated housing unit” (SHU) model.²⁹ New Jersey’s STGMU program houses gang-affiliated prisoners in a segregated unit with three mandatory phases: 1) 90 days of solitary confinement with 23 hours/day of cell isolation; 2) a subsequent period of intermingling with other gang-affiliated prisoners in the unit; and 3) signing a pledge to renounce their gang membership. Upon completion of these three phases, the gang-affiliated prisoners are discharged into the general prison population.

The overall effectiveness of the STGMU approach is unknown as it has not been comprehensively evaluated to date. Though NJDOC officials report that STGMU has improved in-prison security, an important accomplishment in its own right, the program’s wider effects, including its impact upon gang activity outside of prison, are undetermined. Noting the general absence of evaluation data for prison-based anti-gang programs, researchers Scott Decker and Mark Fleisher warn, “Prison anti-gang (or

‘de-ganging’) programs have not been evaluated or at least such evaluations have not been distributed publicly;” and regarding their wider community impact, they conclude, “It is critical to note that no published reports suggest that prison-based gang suppression and intervention have the effect of reducing gang involvement and gang crime in communities after the release of gang-affiliated inmates.”³⁰ According to a national survey of prison officials, more than half believed that segregation policies for gang-affiliated prisoners are not effective.³¹ Given STGMU’s widespread use as the current anti-gang tactic of choice in prisons, its lack of proven effectiveness raises questions.

Its valid security focus aside, the STGMU model provides little in the way of meaningful treatment and counseling. As with post-incarceration interventions, pre-release services for gang-affiliated individuals would ideally address a range of practical reentry needs, around employment, education, substance abuse, mental health, and family reunification. In the absence of such sustained, intensive in-prison services, the likelihood that a given gang-affiliated individual will be prepared to lead a lawful, productive existence outside of prison is low.

To inform and compliment enhanced programming, both intake assessment and pre-release transition planning should be refined. At intake, risk/needs assessment instruments should be able to account for the risk factors and special needs of gang-affiliated individuals. Properly collected, this intake data could guide the design of better tailored in-prison programming. Likewise, pre-release transition planning can respond in more targeted ways by designing reentry plans that specifically seek to counter the immediate ‘benefits’ gang membership offers during the first days after release. A ‘gang-tailored’ transition planning process would better equip the returning individual with skills to resist the pull of gang life and, simultaneously, empower the individual with the resources necessary to pursue a ‘legitimate’ life.

Post-Release Interventions

Standard forms of post-release supervision do not adequately address the reentry needs of gang-affiliated individuals. In New Jersey and elsewhere, most parole and parole-related systems are neither designed nor equipped to provide supervision and services specifically tailored to the gang-affiliated population. Criminologists Michael Dolney, Marilyn McShane, and Frank Williams note, “There are few parole classification instruments with even a token nod to gang membership, parole officials have yet to determine the impact of a potentially large number of gang members on caseload management, and gang membership is rarely used in risk instruments predicting failure on parole.”³² Such limitations are especially troubling given the higher likelihood of parole failure exhibited by gang-affiliated parolees. Within this context, the following strategies provide methods and ideas that could enhance the capacity of parole and other post-release interventions to promote the successful reentry of gang-affiliated individuals.

Carrot-and-Stick: “Offender Notification Forums” and “Call-Ins”

Chicago’s Project Safe Neighborhood (PSN) program has pioneered the use of offender notification forums, a series of group meetings targeting gang-affiliated parolees that provide access to supportive services and, simultaneously, communicate the harsh federal penalties for further gang-related violent crime.³³ As a whole, Chicago’s PSN employs four coordinated strategies: 1) social marketing of deterrence and social norms messages through the offender notification forums; 2) increased federal prosecutions for convicted felons carrying or using guns; 3) lengthy sentences associated with federal prosecutions; and 4) supply-side firearm policing that increases the rate of gun seizures.

The forums are hour-long, bimonthly meetings at which individuals recently paroled from prison are informed about federal penalties (the ‘stick’) for carrying or using guns as well as community resources (the ‘carrot’) for improving their economic, social, and physical prospects. Parolees with a history of gang participation and gun violence are invited via a letter mailed to their residence and follow-up calls from their parole officers. The PSN taskforce, consisting of the Chicago Police Department, the Attorney General’s

Office, the U.S. Attorney's Office, the City of Chicago Corporation Counsel, and more than a dozen community-based organizations, host the meetings. The forums stress to participants 1) the "consequences" should they commit further gun-related crime and 2) the "choices" they can make to help them avoid such crimes. The meetings are intentionally held in neutral, non-law enforcement venues, usually in a public space in a local park or community center.

The first segment of the forum delivers the law enforcement message. Representatives from local, state, and federal law enforcement agencies discuss the PSN enforcement efforts in the targeted areas; emphasize the high degree of federal agency participation; highlight gun laws specific to ex-offenders, including minimum sentences and conviction rates; and present high-profile cases involving individuals who many in the audience are likely to know and who have been convicted through PSN enforcement methods.

The second segment is a 15-minute discussion led by a formerly incarcerated individual from the community (who has typically gone on to work with local intervention programs), usually a former gang leader, who uses personal experience to describe paths out of gang activity. The last segment of the forum stresses the "choices" participants can make in order to avoid re-offending and outlines the community resources available to support such choices. For this final 30-40 minutes, a series of speakers from various community agencies present their programs and what attendees need to do to participate, including substance abuse counseling, temporary shelter, job training, mentorship and union training, education and GED courses, and behavior counseling. Local employers also attend and explain the steps required to gain employment with their respective firms. Literature, flyers, and business cards are given to the attendees so they may contact, free of charge, any of the presenting providers or employers. When the forum ends, the presenters and attendees talk informally.

In 2005, a team of researchers from the University of Chicago and Columbia Law School evaluated Chicago's PSN and found that the targeted neighborhoods experienced a 37-percent decline in homicide rates during the observation period.³⁴ The researchers

attributed a large portion of the program's effectiveness to the offender notification forums, concluding, "The percentage of gun offenders in a beat who have attended a PSN forum appears to have the largest effect of all the PSN indicators, particularly on gang-related homicides." The researchers identified the initiative's strategic use of "choice and fairness" as its comparative advantage and primary driver of success.

Pre-dating Chicago's use of offender notification forums, in the 1990s Boston's Operation Ceasefire (OC) – distinct from New Jersey's Operation CeaseFire – implemented a similar strategy, also premised upon direct communication and engagement with gang-affiliated individuals (though targeting probationers and the general gang population, not exclusively parolees).³⁵ OC taskforce members, including law enforcement, community-based providers, and respected community figures such as pastors, coaches, and esteemed elders, convened regular meetings, known as "call-ins," with gang-affiliated individuals to warn them that the taskforce would "pull every lever" at its disposal to crack down on illegal gang activity and, simultaneously, to assure them that job training and educational resources were available for those who wanted to lead 'legitimate' lives. At these sessions, participants were explicitly told to bring this dual-edged message back to their fellow gang members and spread the word, so that OC's mix of suppression and support would become known throughout Boston's largest gangs.

The Harvard researchers who evaluated Boston's Operation Ceasefire highlighted the importance of its carrot-and-stick methods, noting, "The Operation Ceasefire practitioners believed the participants deserved protection and help, but also that they were, at times, extremely dangerous and therefore needed to be controlled. This mutual sensibility permitted a remarkable sharing of approaches, often carefully tailored to particular situations on the streets."³⁶ The researchers concluded that direct communication with gang members was a key element in the logic of the overall strategy, describing the approach as "fundamentally fair" due to its straightforward message: "here's how the game's going to be played, after this, it's up to you." The researchers found that Operation Ceasefire was associated with significant reductions in gun

violence, including a 63-percent decline in the monthly number of youth homicides, a 32-percent decline in the monthly number of citywide shots-fired calls, and a 25-percent decline in the monthly number of citywide all-age gun assault incidents.

Parole as Public Inoculation: Toward “Acceptable Renunciation Narratives”

Peer group pressures and the associated threat of violent retribution are major barriers to renouncing gang membership. Even for those gang-affiliated individuals inclined to leave the gang life, the desire to exit often pales in comparison to the perceived consequences of doing so. If made more publicly visible, so that parolees’ gang associates and friends could become more aware of the official parole authority mandating renunciation, parole supervision could serve as a more effective ‘inoculation’ against such countervailing pressures and threats. In social psychology terms, publicizing parole conditions and penalties would create a more “acceptable renunciation narrative” by removing the burden of choice from the gang-affiliated parolee.³⁷

Known alternatively as “certification” or “de-labeling” processes, receiving official justification from parole agents for gang renunciation could particularly help those gang-affiliated individuals who want to exit but lack a compelling ‘out.’ Public inoculations are likely to be most effective when coming from on high, from official sources such as parole agents or judges, whose authority renders the renunciation mandate sufficiently forceful.³⁸ LeBel and Maruna suggest convening a “status elevation ceremony” that could serve publicly and formally to “announce, sell, and spread” the gang-affiliated individual’s newly ‘legitimate’ lifestyle.³⁹

Though working with gang-affiliated probationers rather than parolees, Boston’s Operation Night Light (ONL) initiative hints at the promise of inoculation strategies. Described as a community probation program, ONL is a collaboration among probation officers and the Boston Police Department’s (BPD) gang division. On foot and by car, the probation and police officers jointly patrol targeted neighborhoods on a regular basis, publicly enforcing, and thereby making visible, gang-affiliated probationers’ conditions

and constraints (curfew requirements, venue restrictions, etc). As a result, probationers' associates and friends witness first-hand evidence of the state's authority to mandate gang renunciation. Following its success in Boston in the 1990s, ONL has since been instituted statewide and received national recognition.⁴⁰

Parole Reforms: Being Realistic about When, Where, and How

Given the many obstacles and pressures gang-affiliated parolees face on a daily basis, they warrant a high degree of supervision. To increase the likelihood of positive parole outcomes, this supervision should be at once intensive and accessible. A 'gang-tailored' parole regimen would be maximally front-and-center, temporally and physically, in the lives of its parolees.

The rationale for increasing parole intensity and convenience is straightforward. There is only so much that a parole agent can do for a parolee when seeing the individual once or twice every 45 to 90 days, the typical parole schedule. Likewise, the need to travel far from one's neighborhood for appointments lowers the odds of success. Taking a page from the harm reduction approach to addiction counseling, which 'meets clients where they're at,' parole supervision for gang-affiliated individuals should recognize the limitations and risks of gang life and tailor its design and protocol accordingly. It is important for services to be available when gang-affiliated individuals are at the highest risk of engaging in criminal activity (late evenings and weekends); parole and associated support services that operate exclusively during weekday business hours do not realistically address the risk profile of this population. Conventional approaches, which require parolees to conform to exact schedules or face technical parole violations, are unrealistic and counterproductive in the long run.

Along these pragmatic operational lines, the U.S. Department of Justice's (DOJ) Comprehensive Anti-Gang Initiative recently released guidelines for parole systems' supervision of gang-affiliated individuals.⁴¹ Chief among the DOJ's recommendations is a proposed two-pronged personnel reform: 1) smaller caseloads for parole officers who

deal exclusively with gang-affiliated individuals and 2) the hiring of reentry coordinators specifically trained to address issues faced by the gang-affiliated population.

Tailored Employment and Training Services: Faster and Deeper

During the first days of reentry, gang activity can offer the promise of the most basic survival resource: money. When returning individuals are likely to be most desperate, gang-derived income is frequently more accessible than legitimate income. In the words of one returning gang member:

It's crucial, that first two or three weeks out of the penitentiary, very, very crucial. If you don't find a job, what are you gonna say? Oh, man, I can't find a job. I don't know what to do. You know what, let me try to go back to my old way...you comin' out of the penitentiary, and the State's not working fast enough to get things going for you, and you're kickin' with the gang, and you can come right out the door and work for them right away. You know, you don't have to wait two or three weeks to get a paycheck. You in the door the first day, you get a paycheck that night.⁴²

Given this reality, employment and training services for returning gang-affiliated individuals should rapidly meet short-term material needs during this post-incarceration window of opportunity (or vulnerability). The speed of receiving a first paycheck, stipend, or public benefit transfer following release can determine which path gang-affiliated individuals take after leaving prison. Crudely, the strategy is simple: get to them before the benefits of gang membership do.

In addition to the heightened importance of the time element, most gang-affiliated individuals require more intensive levels of 'soft skills' training. The majority are unfamiliar with appropriate workplace speech and behavior and, as such, have limited ability to code switch or role play in professional settings.⁴³ Job-related training for returning gang-affiliated individuals should go well beyond the standard ingredients of interviewing, job search, and resume-writing to include broader, more fundamental life skills and socialization counseling.

Reentry Courts for Gang-Affiliated Individuals

Building on the drug courts model, reentry courts involve the judiciary – or an executive branch agency acting through its administrative adjudicative capacity – in providing greater, and more finely calibrated, supervision and support for reentering individuals.⁴⁴ Akin to the dual-edged rewards/sanctions rationale underlying Chicago PSN’s offender notification forums and Boston OC’s call-in sessions, reentry courts employ a hands-on carrot-and-stick approach, leveraging the court’s authority to 1) apply graduated sanctions and positive reinforcement and 2) marshal community resources to support the individual’s reentry. Demonstrating early evidence of success, reentry court pilots have operated in California, Colorado, Delaware, Florida, Iowa, Kentucky, New York, Ohio, and West Virginia.⁴⁵

The reentry court model’s targeted, intensive, and sustained approach, focused as it is on active, ongoing problem-solving, is well-suited to address the special needs and risk factors of the gang-affiliated population. Whereas drug courts explicitly exclude violent offenders, reentry courts explicitly target individuals with a history of violent behavior. The model has been praised for its capacity to facilitate the public recognition of new ‘pro-social’ civic identities for participants, an especially meaningful reentry accomplishment for the typical gang-affiliated individual. Reentry courts’ core elements, as follow, could provide appropriately comprehensive, integrated support to reentering gang-affiliated individuals:

- Assessment and strategic reentry planning, involving the returning individual, the judiciary, and other partners, including the development of a contract or treatment plan;
- Regular status assessment meetings involving both the returning individual and the individual’s community advocates and family members;
- Coordination of multiple support services, including substance abuse treatment, job training programs, and housing services;
- Accountability to the individual’s community via citizen advisory boards, crime victims organizations, and neighborhood groups;

- Graduated sanctions for violations of the conditions of release that can be efficiently and predictably applied, and;
- Rewards for success, especially by negotiating early release from parole after established goals are accomplished or by conducting graduation ceremonies similar to those used in drug courts.⁴⁶

Widening the Support Net: The Promise of Community-Based Partnerships

Ultimately, parole is a balance of surveillance and support. While the suppression-based tactics of recent years have produced higher surveillance levels of gang-affiliated parolees, complimentary support functions have lagged, creating a dangerous gap. Given the low skill and job readiness levels of gang-affiliated parolees, such support services are especially critical. To help correct this imbalance, the parole system could form additional partnerships with community-based organizations to leverage their specialized expertise in the provision of job training, housing, education, mental health, and addiction counseling services. Hinting at such a parole enrichment strategy, criminologists Stefan LoBuglio and Anne Piehl speculate that, “the ‘support gap’ could usefully be filled by non-government agencies that can credibly provide these support services.”⁴⁷

There are promising community partnership models whose methods could be readily adapted to serve the gang-affiliated population. In New York City, for example, La Bodega de la Familia arranges for families of soon-to-be released prisoners to meet with parole agents to develop reentry plans that include the targeted use of community-based support services.⁴⁸ At the initial set of meetings, which do not include the still incarcerated individual, the family member(s) and parole agent start by reviewing the terms of parole. La Bodega staff then help the family map out the range of support services available for the returning family member. Case managers use this map, cross-referenced with the returning individual’s risk factors, to guide their efforts to secure resources and referrals to widen the support net for the soon-to-be parolee.

III. LESSONS LEARNED

As with most policy questions worth asking, there is no single ‘silver bullet’ answer that will ensure better reentry outcomes for gang-affiliated individuals. The root causes of gang-related crime – and the subsequent incarceration, release, and re-incarceration of gang members – are broader social ills: poverty, racism, and consequent inequality of opportunity. It is thus important for policymakers, community leaders, researchers, and other interested stakeholders to consider the social and economic context of gang formation when formulating solutions.

The strategies and ideas presented in this paper are informed by, and respond to, such contextual factors. Taken as a whole, they provide a range of insights that can help guide New Jersey’s policy and practice on the reentry of gang-affiliated individuals.

Based upon their collective experience, the following are lessons learned.

- *On the street, gang membership can be used to negotiate a place to live, a source of income, and a loyal set of friends; successful interventions will do the same.*

In order to counter the material benefits of gang membership, reentry services for gang-affiliated individuals should include intensive employment training and housing supports. The first hours and days after release represent a window of opportunity (and vulnerability) and should be used strategically to address these basic instrumental needs. From the perspective of the targeted gang-affiliated individual, these support services must appear as credible alternatives to gang-related opportunities.

- *Comprehensive community-wide approaches offer the greatest likelihood of success.*

Genuinely comprehensive interventions are multi-faceted along both the ‘what’ and the ‘who’ continuums. They blend suppression with support and, consequently, involve law enforcement as well as social service professionals, faith-based leaders, and other relevant community stakeholders.

- Direct ‘carrot-and-stick’ engagement with gang-affiliated individuals during and after release has demonstrated promise in reducing gang-related crime.

Credible incentives and threats, in the form of supportive social services coupled with authoritative warnings of the harsh state and federal penalties for gang-related crime, can merge to yield effective interventions. Logistically, the custodial nature of prison and parole supervision facilitates this direct communication and should be leveraged accordingly.

- Rewards and sanctions can be calibrated to match the risks and behaviors of the targeted individuals.

Gang activity exists along a wide spectrum of intensity, from peripheral, primarily social association to deeper, more violent engagement. Theories of change based upon the notions that gangs are monolithic and individual gang members should be treated in equally punitive ways yield unsatisfactory, counter-productive outcomes. Refined pre- and post-release risk assessment tools could determine relative levels of gang involvement and the resulting risk profiles used to individualize the mix of ‘carrots’ and ‘sticks’ provided following incarceration. ‘Hard core’ gang members may warrant a higher ratio of sanctions than those with less serious histories of gang-related criminal activity (and vice versa). Calibrated approaches would ensure that interventions are more effectively matched and appropriately proportional.

- Incremental approaches and violence reduction benchmarks are appropriate.

While eliminating gangs and gang-related crime is the ultimate goal, in the short-term reentry interventions should meet gang-affiliated individuals ‘where they’re at’ to accomplish incremental gains. It is unrealistic to think that gang members can be removed altogether from high-risk circumstances and surroundings (for this reason, abstinence-style ‘just say no’ approaches have had limited success). Reentry strategies should seek to minimize the risks inherent to circumstance and surrounding by equipping individuals with tangible skills and

empowering them with practical resources, thereby reducing potential harm. Proportional strategies tailored to the realities of gang life offer the best chance of making gang activity less violent and pervasive.

- *Interventions should be maximally data-driven and experience-based.*
Strategies not sufficiently driven by data and based in experience run the risk of producing inadequate results and, in the process, squandering scarce public resources. Over time, repeated failure erodes the political will and public opinion required to launch future efforts.

Endnotes

¹ John Farmer, Jr., “Increase in Violent Crime Was Predictable,” *Star-Ledger* (1/14/07).

² Melissa Johnson, New Jersey Department of Corrections, “Growing Gangs in New Jersey: Using GIS and Prison Gang Intelligence on the Streets” (2005), available at <http://www.ojp.usdoj.gov/nij/maps/savannah2005/papers/Johnson2.pdf>.

³ NJISJ’s briefing papers are available at <http://www.njisj.org/publications.html#reports>.

⁴ *Coming Home For Good: Meeting the Challenge of Prisoner Reentry in New Jersey* (2003) is available at http://www.njisj.org/reports/cominghome_report.pdf.

⁵ Michael Dolny, Marilyn D. McShane, and Frank P. Williams III, “The Effect of Gang Membership on Parole Outcome,” *Journal of Gang Research*, Vol. 10, No. 4 (2003).

⁶ See the Police Executive Research Forum study, “Violent Crime in America: 24 Months of Alarming Trends” (2007), available at http://www.policeforum.org/upload/Violent%20Crime%20Report%203707_140194792_392007143035.pdf.

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¹⁰ James Houston, “What Works: The Search for Excellence in Gang Intervention Programs,” *Journal of Gang Research*, Vol. 3, No. 3 (1996).

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¹² Robert A. Destro, “Gangs and Civil Rights,” in Scott Cummings and Daniel Monti, eds., *Gangs: The Origins and Impact of Contemporary Youth Gangs in the United States*. Albany: State University of New York Press, 1993.

¹³ Malcolm W. Klein, “The Ladino Hills Project (Final Report),” in Arnold P. Goldstein and C. Ronald Huff, eds., *The Gang Intervention Handbook*. Champaign, IL: Research Press, 1993.

¹⁴ Pamela I. Jackson, “Crime, Youth Gangs, and Urban Transition: The Social Dislocation of Postindustrial Economic Development,” *Justice Quarterly*, Vol. 8 (1991).

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¹⁶ Egley, A., Jr., and Ritz, C.E. *National Youth Gang Survey*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2004.

¹⁷ Jeanne B. Stinchcomb, “Promising (and Not-So-Promising) Gang Prevention and Intervention Strategies: A Comprehensive Literature Review,” *Journal of Gang Research*, Vol. 10, No. 1 (2002).

¹⁸ What do gang-affiliated individuals themselves consider the most effective, or most realistic, intervention approaches, and what are their own personal goals? According to a national survey – see James Houston, “What Works: The Search for Excellence in Gang Intervention Programs,” *Journal of Gang Research*, Vol. 3, No. 3 (1996) – gang members rate job training and employment services, counseling, and education as the most powerful interventions and rank both ‘hard-edged’ suppression and ‘feel good’ recreational and mentoring approaches low on the effectiveness scale. Nearly all of the respondents (93.5%) said they would like to get married, get a legal job, and have children. This survey and other research imply that most gang members want to lead ‘legitimate’ lives but either do not know how or do not have the resources to do so.

¹⁹ For more information on legal barriers to reentry, see the New Jersey Institute for Social Justice’s “Legal Barriers to Prisoner Reentry in New Jersey” fact sheets, available at <http://www.njsj.org/publications.html#fact>.

²⁰ Michael Dolny, Marilyn D. McShane, and Frank P. Williams III, “The Effect of Gang Membership on Parole Outcome,” *Journal of Gang Research*, Vol. 10, No. 4 (2003).

²¹ Scott H. Decker and Mark S. Fleisher, “Going Home, Staying Home: Integrating Prison Gang Members into the Community,” *Corrections Management Quarterly*, Vol. 5, No. 1 (2001).

²² Gregory S. Scott, “Jabbing Blow, Pitching Rocks, and Stacking Paper: How Drug-Selling Street Gangs Organize the Reentry of Male Ex-Convicts into the Community,” in Mark S. Fleisher and Jessie L. Krienert, eds., *Crime and Employment: Critical Issues in Crime Reduction for Corrections*. New York: Rowman & Littlefield Publishers, Inc., 2004.

²³ Ron Holvey, New Jersey Department of Corrections, "Fighting Gangs in Our Prisons, and in Our Neighborhoods," *New Jersey Municipalities*, October 2005, available at http://www.njslom.org/magart1005_page46.html.

²⁴ See New Jersey State Parole Board Street Gang Unit brochure, available at <http://www.state.nj.us/parole/StreetGangUnitBrochure.pdf>.

²⁵ Ibid.

²⁶ For an overview of the Greater Newark Safer Cities Initiative, see <http://urwebsrv.rutgers.edu/focus/article/Five%20years%20in%20operation%20Rutgers-Newark%27s%20Police%20Institute%27s%20Safer%20Cities%20Initiative%20is%20curbing%20crime%2C%20saving%20lives/1539/pl>.

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²⁸ According to Lori Scott-Pickens, Deputy Executive Director and Director of Community Outreach at the Police Institute (original interview, 4/17/07), the Greater Newark Safer Cities Initiative does not distinguish between gang and non-gang members in how it delivers services and operates its anti-crime efforts. Scott-Pickens explained, "When providing or referring to services and help, being a gang member is acknowledged and recognized but does not rise to the level of triggering different treatment or access."

²⁹ Peter M. Carlson, "Prison Interventions: Evolving Strategies to Control Security Threat Groups," *Corrections Management Quarterly*, Vol. 5, No. 1 (2001).

³⁰ Scott H. Decker and Mark S. Fleisher, "Going Home, Staying Home: Integrating Prison Gang Members into the Community," *Corrections Management Quarterly*, Vol. 5, No. 1 (2001).

³¹ Scott H. Decker and Mark S. Fleisher, "An Overview of the Challenge of Prison Gangs," *Corrections Management Quarterly*, Vol. 5, No. 1 (2001).

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³³ For an overview and evaluation of Chicago's Project Safe Neighborhood, see Jeffrey Fagan, Tracey L. Meares, and Andrew V. Papachristos, "Attention Felons: Evaluating Project Safe Neighborhood in Chicago," The University of Chicago Law School, November 2005, available at <http://www.law.uchicago.edu/law-pdf/law-econ/269.pdf>.

³⁴ Ibid.

³⁵ For an overview and evaluation of Boston's Operation Ceasefire, see Anthony A. Braga, David M. Kennedy, and Anne M. Piehl, "Reducing Gun Violence: The Boston Gun Project's Operation Ceasefire," National Institute of Justice, September 2001, available at <http://www.ncjrs.gov/pdffiles1/nij/188741.pdf>.

³⁶ Ibid.

³⁷ Original interview with Dr. Anne M. Piehl, Associate Professor of Economics and Faculty Affiliate in Criminal Justice, Rutgers University (1/12/07).

³⁸ David B. Wexler, "Robes and Rehabilitation: How Judges Can Help Offenders 'Make Good'," *Court Review*, Vol. 38 (2001).

³⁹ Thomas P. LeBel and Shadd Maruna, "Welcome Home? Examining the 'Reentry Court' Concept from a Strengths-Based Perspective," *Western Criminology Review*, Vol. 4, No. 2 (2003).

⁴⁰ See pages 9-13 in Anthony A. Braga, David M. Kennedy, and Anne M. Piehl, "Reducing Gun Violence: The Boston Gun Project's Operation Ceasefire," National Institute of Justice, September 2001, available at <http://www.ncjrs.gov/pdffiles1/nij/188741.pdf>.

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⁴³ Ibid.

⁴⁴ For information on drug courts in New Jersey, see Lawrence Aaron, "Drug Courts Offer a Viable Alternative," *The Record* (4/15/07), available at <http://www.northjersey.com/page.php?qstr=eXJpcnk3ZjczN2Y3dnFIZUVFeXk2OTEmZmdiZWw3Zjd2cWVIRUV5eTcxMTA5NTUmeXJpcnk3ZjcxN2Y3dnFIZUVFeXk5>.

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⁴⁸ Ibid.