**Gangs: What’s at Stake**

**Some Background on the Landscape**

If you are unfamiliar with gangs in the Bay Area we suggest taking a brief look at the following two websites which contain basic information about the two biggest gangs in the area (Norteños and Sureños).

- **Sureños**: [http://www.gangpreventionservices.org/sureno.asp](http://www.gangpreventionservices.org/sureno.asp)

Additionally, please be on the lookout for students referring to rival gangs in a derogatory manner. If you hear the word “scrap” (derogatory for Sureño) or “chapete” (derogatory for Norteño) please ask the student to use the correct word for the gang. (Less likely to arise are “slob” for Blood and “crab” or “sandcrab” for Crip.) If you see them cross out an “s” or write a backwards “n” or write “3” “13” “XIII” “4” “14” or “XIV” please scratch it.

For the full text of Prop 21 you can look here: [http://primary2000.ss.ca.gov/VoterGuide/Propositions/21text.htm](http://primary2000.ss.ca.gov/VoterGuide/Propositions/21text.htm)

**Takeaways**

- Students will have reflected on why people choose to join gangs in the first place, how that decision can influence their behavior, and how it can .................
- Students will have discussed the perceptions that surround gangs and gang activity.
WELCOME
(Time Check: 2 minutes)

Welcome the students to StreetLaw and remind them of its purpose and your names. Tell them that during this lesson they will discuss gangs, why people join them and how the law treats them. Also remind the students that they should not tell you about their individual cases, though they can ask us questions about hypothetical situations.

Teaching Tip (for this whole lesson) – Sometimes the kids are reluctant to start talking about this topic because many of their lives have been directly affected by gangs in difficult and complicated ways. Remind them of confidentiality rules, and remind them how important it is to be respectful of each other’s views. Also, remember that the kids probably have much more concrete knowledge about this topic than we do – be careful about the statements you make and check for any biases before offering your opinions. That said, don’t be afraid to provoke discussion.

INTRODUCTORY STORY & DISCUSSION
(Time Check: 10 minutes)

Tell the students that they are going to hear a story about a real person that a StreetLaw teacher met on the street. That person, Melvin, asked him to share his story. It goes like this:

Melvin’s Story – BASED ON TRUE EVENTS

My name is Melvin. I am 41 years old and, as of six months ago, I am a free man for the first time since I was a junior in high school.

When I was 17, six of my boys and I went to a party together. I was hoping to talk to this girl from my high school that I heard would be there. She was FINE. I couldn’t wait to get there. As we were walking, one of my guys—who I’ll call James—pulled up his coat and said, “Hey y’all check out my thumper. I just got it from my brother. Pretty cool huh?” He didn’t let any of us touch the gun but I got a good look. Man, I was jealous.

We rolled up to the party a bit later. It was already crackin’ by the time we got there. I said hi to some friends of mine before quickly dodging some guys from a few blocks down. They were from hostile territory and I wasn’t looking to mess with them. I was trying to talk to that girl.

I found her in the kitchen. She was lookin’ GOOD. Wow. And she was happy to see me. I started doing my thing. It seemed for a while like I was gonna get somewhere.

Then I heard loud voices.

“Man F**K you! Get outta my face.”
“What you gonna do about it. You just a b***h.”
CRACK. Screams. CRACK CRACK CRACK. More screams.

I ran into the entryway. I saw the two guys from down the block, on the ground, bleeding badly. James was standing over them, looking stunned. His gun was out. I stared. I couldn’t move.

I don’t know how much time had passed when I heard the sirens. Six cops busted into the house, weapons drawn. My boy dropped his gun immediately.

“You. On the ground. NOW!” one of the cops screamed at him. James hit the floor. “Who’s with him?!”

“Them!” One of the guys at the party, in tears, who must have known the two who got shot, pointed to me and my friends. The cops put me in cuffs.

I got sentenced to 30 years, with parole. So did the other four of my friends who had come to the party. James got life. They said I got locked up because we were with him and there’s some law that if one gang-member goes down, anyone he was with goes too because we’re guilty by association. They assumed I had something to do with the murder, just cause I rolled with James.

I served 24 years of my 30-year sentence and am fresh out. I’m homeless, don’t have any money, and can’t find a job. Who’s going to hire a convicted felon? Even if they would, who’s going to hire someone with accessory to murder charges all over his record?

I hadn’t heard of Twitter, Facebook, or Call of Duty until a few months ago. I hadn’t even used the Internet before. I never saw that girl again. Even if I could, I wouldn’t want to. I wear the same clothes every day and don’t know when I’ll be able to shower next. I don’t even know where my next meal is coming from.

My name is Melvin and I’ve spent more years in prison than I have on the outside. I didn’t kill anybody.

DISCUSSION
Ask the students to share their immediate reactions to the story. Some starters:
• What got Melvin into trouble?
• Was what happened to him fair?
• What could he have done differently? (NOTE: if a student says “Uh, not join a gang,” that is a great transition into Activity 1. Be sure to applaud them for spotting that too.)
ACTIVITY 1: WHY DID MELVIN JOIN A GANG?
(Time Check: 15 minutes)

Tell the students that they are going to do a “story-whip” – that is, create a story together one sentence at a time. You will start the story and each student in the class will add a sentence to it until another teacher ends it. Tell the students that the first line of the story is “Melvin was a 17-year-old kid living in San Mateo.” Inform the students that the last line of the story will be “So Melvin decided to join a gang.”

IDEALLY YOU WANT GROUPS OF NO SMALLER THAN 3 BUT NO BIGGER THAN 5 FOR THIS ACTIVITY. SPLIT UP AS NECESSARY.

➔ Teaching Tip – Write the first and last lines on a piece of paper and right them as they go along. 8-10 sentences is probably a good length but if a group is really killing it, let them run.

Tell the students that in order to fill in all of the stuff in the middle they should think about all of the things (life situation, family situation, friends, school, fast money, protection, respect, drugs, and so on) that might make someone join a gang.

➔ Teaching Tip – If the students are having trouble facilitators should ask them questions to get them thinking (see above) or, if necessary, insert a sentence of their own, perhaps:
• James, one of the older guys on the block, asked Melvin if he wanted to chill and maybe make some money.
• Melvin didn’t like school and thought his life was boring.
• Melvin felt like the guys in the gang got all the respect.
• Melvin got jumped going home from school and didn’t want it to happen again.
• Melvin felt like he didn’t belong anywhere, even at home, and wanted to have some friends he could count on.

DEFINITELY add in one of the latter two sentences if nobody in the class brings up anything good about gang membership—i.e. protection or a sense of community.

After the story-whip, RECONVENE the groups to share their stories. Ask for a volunteer or have them go around again with what they said.

Tell the class: Great job, everyone. You might have noticed that people join gangs for lots of reasons, some good and some not so good.

Next, ask the class: Are there good things about being a gang member? What might those be? What do gangs sometimes offer their members that they might not get elsewhere?
• Likely answers include: a sense of community/family, and a support network they might not get at home.

• NOTE: We want to acknowledge that people sometimes seek out gangs for positive reasons, and then make it clear that the negative consequences of gang membership are so severe that joining a gang—for whatever reasons—is not worth the price.
Next, ask the class: now, thinking about Melvin, what are some of risks of joining a gang?

NOTE: We especially want the following highlighted:

- Gangs can put pressure on people to do things they might not do on their own through peer pressure, especially when it comes to initiations, gaining ‘respect’, and moving up.
  - This can be anything from dropping out of school to being hostile towards people only because they belong to a different gang to committing serious crimes.
- Being in a gang makes it way more likely to be guilty by association or have similar crimes punished more severely with gang enhancements like Prop 21

Tell the class: We’ve seen that people can often join gangs for good reasons (and some not so good reasons) but that the consequences for someone who decides to join a gang can end up being “locked up or shot up.” Think about Melvin, James, and the two guys James killed.

Last, ask the students: what are some things that people, schools, or communities can do to help prevent people from joining a gang? (SUGGESTIONS: after school activities, sports, Hogwarts-style Houses in schools, etc… kids can often be pretty creative here). Why might these suggestions help?

TRANSITION: Now that we’ve explored why people join gangs and what can happen to them as a result, we’re going to take a closer look at gang laws themselves and why society has chosen to have them.

ACTIVITY 2: PROP 21 BASICS & DISCUSSION
(Time Check: 15 minutes)

Ask the Students: Does anyone know what Proposition 21 is?

Proposition 21 made changes to the law for juveniles. It targets juveniles (and adults) who have committed gang-related crimes. It also targets those who commit violent and serious crimes. The changes we will be talking about is that Prop 21 increases the penalties for gang-related crimes and requires adjudicated/convicted gang members to register with local law enforcement agencies. This means that if a gang member commits the same crime as a non-gang member, say robbing somebody, the gang member can be punished more severely.

In the eyes of the law, a gang is:

- A group of 3 or more people
- With a common identifying sign or symbol
- People in the gang commit crimes and get together to do things that are illegal
Ask the students if the people in these scenarios could be considered a gang.

- Scenario 1: Molly, Mara, and Cindy all hang out together and call themselves “The MMK.” They have a special handshake. Once a week after school they get together and steal clothes from the mall.
  - (Answer: Yes, a gang.)
- Scenario 2: Molly, Mara, and Cindy are all part of the 3 person basketball team. They named themselves “MMC” and created a three-headed monster as their logo and only wear black when they play basketball games.
  - (Answer: No, not a gang...nothing illegal.)
- Scenario 3: Molly, Mara, and Cindy hang out all the time and like to wear clothes with matching logos. They get together to smoke weed after school and occasionally sell it.
  - (Answer: Probably. Even though they might all just like the same sports team, courts will usually err on the side of calling something a gang if it looks like it could be).

Tell the students that now we are doing to discuss PUNISHMENTS:

Under Prop 21 penalties for gang-related crimes are harsh:

- A youth can be ‘convicted’ of a crime because he associated with other gang members who actually committed the crime, based on a theory of conspiracy. Sound familiar?
  - (NOTE: Looking for guilt by association like in the Melvin story)
- If the youth is a gang member and is actually involved in the crime (note: Duc was “actually involved” in the crime because he was driving the car, even though he didn’t pull the trigger), he will get a longer (enhanced) sentence.
  - Any crime: 2-4 years + punishment for the crime
  - Serious crime: 5 years + punishment for the crime
  - Violent crime: 10 years + punishment for the crime
  - Home invasion, robbery, car jacking, felony shooting: 15 years + punishment for the crime
  - Murder: gang involvement is now an aggravating factor, so the death penalty is an option
- Also, for any crime: I have to register as a gang member with the police. I will stay on this registry for 5 years.
  - Teaching Tip – If you have time, ask the students what they think of this part of the law, and why it exists.
    - Some reasons may include:
      - To prevent people from associating with gangs
      - To get the guys ‘at the top’ who get other people to commit crimes for them
      - To keep track of who is in a gang
      - To question me about others in the gang
      - To know to question me if another crime is committed by my gang
      - To figure out if I was involved in any past crimes committed by my gang
- For many gang-related crimes I can be sent to adult court and an adult prison
Discussion: Ask the students:
- What do you think public attitudes are towards gang members?
- Why do you think we have gang enhancement laws? (Make sure the kids know that “gang enhancement laws” are just laws that say gang members get longer sentences than non-gang members for the same crimes – we’ll discuss the details of Prop 21 soon.)

Teaching Tip – This can lead to a very in-depth discussion. Let it go for as long as you want if you feel it is productive.

Teaching tip – If you feel comfortable, it can make for a very productive conversation if you interject controversial viewpoints that are out there in society (e.g., some people think gang members are destined to a life of crime – what do you think? Or, some people think sending gang members to prison just makes gangs worse – what do you think?)

CONCLUSION
(Time Check: 2-5 minutes)

Summarize the Activities:
- This week, we talked about why people join gangs, how gangs can affect behavior, and how Prop 21 defines and punishes gang-related crimes.
- Gangs are something that the police are taking very seriously. Public attitudes towards gangs are pretty negative, and there is a lot of public pressure to prosecute gang members harshly.
- MOST IMPORTANT: The point of this lesson was not to tell you what to do or how to think. We understand that there can be tremendous pressures for people to be involved with gangs, particularly if members of their family or people in their neighborhood are gang involved. The point of this lesson, as with all of our lessons, is to make sure you guys have the tools to understand the consequences of some tough decisions, or even just doing what seems easy without thinking much about it.