Community Perceptions of Youth Gang Activity

Results from Four Tribal Sites

By Elise Jensen, Amanda Cissner, and Warren Reich
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Center for Court Innovation
520 Eighth Avenue, 18th Floor
New York, New York 10018
646.386.3100 fax 212.397.0985
www.courtinnovation.org
Abstract

The current study sought to document the nature and extent of youth gang involvement in Indian Country, including prevention, intervention, and suppression strategies developed by tribes. During stakeholder interviews in four tribal sites, we identified three primary themes: the prevalence and nature of youth gangs in tribal sites, institutional responses to youth gangs, and other problems faced by youth in the four sites.

The reported prevalence of Native American youth gangs varied across sites. In one site, there was an ongoing gang problem; in another, a historic gang problem had been resolved; and in two sites, stakeholders provided mixed accounts of the prevalence of gang activity. These findings may suggest that previous accounts of gang activity among tribal youth were overstated or that the problem has diminished over time—at least in these particular sites.

Stakeholders identified a number of motivating factors leading to gang involvement, including the influence of popular culture, desire for protection, economic considerations, and outside influences. Where they were reported, gangs were said to be intergenerational, with younger members being indoctrinated by older family members. The only site with a certain current gang problem was adjacent to a major metropolitan area, which stakeholders reported influenced tribal gang activity. Gangs members were reported to be criminal generalists, perpetrating an array of crimes, including property crimes, graffiti, vandalism, drug sales and use, and fighting.

Communities developed a range of responses to detected or anticipated gang activity, primarily legal responses (e.g., gang ordinance, enhanced prosecution) and collaboration between tribal and non-tribal law enforcement. Gang-specific prevention, intervention, and reentry programming was reportedly underfunded; likewise, stakeholders indicated that funding for general programming for tribal youth (e.g., Boys and Girls Club, cultural programming) was difficult to sustain.

According to interviewees, youth in the select sites are face a multitude of social problems beyond gangs, such as alcohol and drug use; exposure to violence; family instability; poverty; lack of school engagement; and lack of prosocial activities. While such problems may increase the risk that gangs will appeal to young people, the problems themselves were frequently held as more pressing community concerns than gang activity.
The report concludes with a set of recommendations for funders and those looking to conduct research in tribal settings.
Acknowledgements

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The opinions, findings, and conclusions expressed in this publication are those of the authors and do not necessarily represent the positions or policies of the Office of Juvenile Justice and Delinquency Prevention or the Department of Justice. For correspondence, please contact Amanda Cissner, Center for Court Innovation, 520 8th Avenue, New York, NY 10018 (cissnera@courtinnovation.org).
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Executive Summary

Starting in the late 1990s into the early 2000s, the issue of gang activity in tribal communities began to gain increased attention among both criminal justice agencies and in the popular press. The current study seeks to document the nature and extent of the current gang problem in Indian Country, including the array of prevention, intervention, and suppression strategies developed by four participating tribes.

Methodology

Sites were selected based on the recommendations of tribal experts and an external project advisory board composed of members from diverse tribal communities across the country. Each site was known or suspected to have active gangs. We sought a mix of rural and urban sites with a population of at least 4,500 in states where tribes have sole legal authority over the arrest, prosecution, and detainment of tribal members. The final sites remain anonymous throughout the report in order to avoid any potential stigma for the tribal communities that participated or negative repercussions for the stakeholders who spoke with us. During site visits, members of the research team conducted in-depth interviews with an array of tribal stakeholders, including law enforcement, schools, corrections, courts, treatment providers and social service agencies, government agencies, and youth clubs. A total of 55 stakeholders (ranging from 9 to 19 stakeholders per site) participated in in-person interviews across the four site visits. We identified three primary themes: the prevalence and nature of youth gangs in tribal sites; institutional responses to youth gangs; and other problems faced by youth in the four sites.

Prevalence and Nature of Youth Gangs

The Current Problem

Prevalence The prevalence of Native American youth gangs varied across sites. Findings suggest that prior research, primarily conducted in the late 1990s and early 2000s, does not present an accurate picture of today’s tribal youth in these four communities. Gang activity in the study sites fell into three categories:

1. Undisputed and Ongoing Gang Problem (Site B): In one site, stakeholders almost universally agreed that gangs were a considerable community problem.
2. **Previous Gang Problem that has been Resolved** (Site A): Stakeholders in one site predominantly reported that, while gangs were a problem on the reservation in the recent past, community responses (or other developments) have been largely successful in curtailing gang activity.

3. **Disputed Gang Problem** (Sites C and D): Stakeholders in two sites provided mixed accounts of the prevalence of gang activity. The lack of consensus and the evidence provided by stakeholders left the research team to conclude that gangs were likely not a major problem in these sites.

**Member Characteristics** Gang activity was described as intergenerational, with gang affiliation dictated by families and indoctrination beginning when children were too young to make any conscious decision about membership. Where gang activity did occur, it was reported to involve males.

**Recruitment** Several factors came up during stakeholder interviews as possible motivators behind gang membership.

- **Pop Culture** was said to be a major influence. Many stakeholders felt young people appropriate gang fashion and symbolism without any real ties to gang activity. Stakeholders in two sites, in particular, suggested that much of the alleged gang activity was more accurately described as “wannabes” imitating what they see in movies and music.

- **Protection** from bullying and other gangs was mentioned as a possible incentive in one site.

- **Economic Incentives** were reported in one relatively affluent community. In this site, a per capita payment made to all tribal members when they turn either 18 or 21 was said to serve as an incentive for gangs. New recruits, according to stakeholders, must pledge a proportion of their per capita payment when it arrives.

- **Outside influences** were mentioned by stakeholders at all sites for tribal youth to become involved with gangs. The influences mentioned included Mexican drug cartels; workers in a nearby town experiencing economic growth; tribal youth who leave the reservation and then return, bringing along gang influences; and tribal members returning from prison.
**Gang Activity** As found in previous research, the gangs reported in the current study were less likely to specialize in a specific type of illegal activity and were more likely to be generalists, perpetrating an array of crimes, including property crimes, graffiti, vandalism, drug sales and use, and fighting. In the site reporting a current gang problem, crimes associated with gangs also included some more serious charges, such as firearms offenses and drug trafficking.

**Tribal Location** The only site to have a consistently agreed-upon current gang problem is located on a reservation directly adjacent to a major metropolitan area. In the sites that were farther away from cities, interviewees commented that kids were bored and there were few positive resources to occupy their time.

**Response to Youth Gangs**
Communities developed a range of responses to detected or anticipated gang activity:

- **Legal Responses** were reportedly made in each of the four sites in order to combat gangs. According to stakeholders, these took the form of changes to the tribal code, gang ordinances, gang task forces, and enhanced prosecution.

- **Law Enforcement Strategies** included collaborating with non-tribal law enforcement agencies at both the state and federal level and developing data tracking systems and gang membership indicators to enable multiple agencies to identify gang-affiliated members.

- **Prevention Efforts** geared toward gang activity, specifically, faced funding shortages and had effectively disappeared, according to stakeholders. Other prevention programs—targeting, for instance, bullying, substance abuse, and prosocial engagement—were mentioned by stakeholders; however, ongoing funding was reportedly difficult to secure, and such programs frequently dissolved after a year or two. An active Boys and Girls Club was present in one site.

- **Intervention and Reentry Programming** targeting gang activity were a specific study focus; however, such programs were held to be even less readily available than prevention programs.

- **Cultural Programming** was mentioned as an important tool for preventing delinquency in general and gang activity specifically. Cultural programming, however, was reportedly difficult to find and, even where it was available, was often subject to restrictions (e.g., costs) that may prevent participation by the most marginalized youth.
Other Youth Problems

Previous research has documented high rates of substance abuse, poverty, trauma, violence, and suicide in tribal communities. Many of these same factors have been linked to increased risk of gang involvement. According to the interviewees, youth in the select sites are exposed to a multitude of these factors. While such problems may increase the risk that gangs will appeal to young people, the problems themselves were frequently held as more pressing community concerns than gang activity. The primary non-gang problems that came up in multiple stakeholder interviews included the following:

- Alcohol and Drugs;
- Exposure to Violence;
- Family Instability;
- Poverty;
- Lack of School Engagement; and
- Lack of Prosocial Activities.

Recommendations

Based on study findings, we have identified recommendations for funders and those looking to conduct research in tribal settings. The first set of recommendations follow from the substantive study findings described above:

1. **Focus resources on general prevention and intervention efforts.** If the findings here are indicative, there may be less need for gang-specific programming and more need for evidence-based programming to address the array of risks facing tribal youth. Additionally, tribes may benefit from assistance in identifying ongoing funding for such programs.

2. **Design projects to be responsive to unanticipated results.** Particularly in research that is exploratory in nature, unanticipated null findings are always a possibility. In this study, despite a shared presumption by the researchers and the funding agency that there was an ongoing gang problem in tribal communities, our findings suggest the extent of the problem may be overstated. Researchers and funders should work together to ensure openness to null findings, keeping in mind that such findings may well be of interest and even warrant further study.
Additional recommendations stem from the specific challenges in realizing the original study design. Significant project delays resulted from difficulty recruiting and retaining study sites, and identifying and meeting human subject requirements. Recommendations for realizing a tribal research agenda and avoiding some of the pitfalls experienced in the current project (described in the main body of the report) include:

3. **Engage tribal communities that expressly request research assistance.** Establishing relationships and building the trust needed to conduct productive research takes time. The current project suffered from a lack of buy-in among potential sites, rendering the sample smaller than initially planned. Both tribal communities that are interested in bringing research to their community and the researchers studying them could benefit from a streamlined process wherein interested communities self-identify.

4. **Document the human subject requirement for research at tribes.** If the Department of Justice wishes to promote a tribal research agenda, a clearinghouse documenting human subject protection requirements at different tribes would streamline the process and minimize costs during the startup period.

5. **Amend timeline expectations for tribal research.** Communication with tribes frequently takes more time than communication with other populations. Accordingly, timelines should be more fluid when working with tribal partners.
Starting in the late 1990s into the early 2000s, the issue of gang activity in tribal communities began to gain increased attention among both criminal justice agencies and in popular press. Tribal police as early as 1985 began documenting the existence of tribal youth gangs, but the scope of the problem increased beginning in the early 1990s (Bell and Lim 2005). In 2001, the Native Communications Office reported that it had identified more than 180 gangs in Indian Country (Joseph and Taylor 2003). Tribal jurisdictions nationwide reported a rise in gang-related criminal activity including graffiti, theft, armed robbery, arson, assault and murder through the late 1990s into the early 2000s (Major and Egley 2002). In specific communities—notably the Navajo Nation—increasing rates of gang-related violence, retaliatory homicides, turf wars, drive-by shootings, and drug trafficking were relatively well-documented (Dial 1995).

Despite reports of growing gang activity during this time period, it is noteworthy that fewer than one-quarter (23%) of the 300 communities responding to the OJJDP-funded “2000 Survey of Youth Gangs in Indian Country” reported active youth gangs.1 The majority of responding communities (70%) reported no gang activity; the remaining 7% of tribal communities could not determine whether a gang problem existed. Gang membership as reported by survey respondents ranged from as small as four members

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1 The 2000 Survey of Youth Gangs in Indian Country was sent to a total of 577 tribal communities. Of these, 300 (52%) communities completed a survey.
to as a large as 750 members. Larger tribal communities were particularly likely to report
gang activity (Major et al. 2004).

In 2010, the National Drug Intelligence Center (NDIC) undertook a targeted study of
communities thought to be particularly likely to face gang problems. Specifically, a survey of
tribal communities was distributed to sites that met at least one of the following criteria: (1) a
previously-documented gang presence; (2) reservations that border a metropolitan area with
a known gang presence; or (3) reservations within 100 miles of a major U.S. interstate. Of
the 132 communities meeting this criteria, 81% reported gang activity (NDIC 2011).

The limited research available on gang activity in tribal communities suggests that they may
look different than gangs in non-tribal areas. Specifically, there is some suggestive evidence
that tribal gangs are more likely to be mixed-gender and mixed-ethnicity groups (Hailer
2008; Major et al. 2004) and that they are more visible with their gang affiliation (Hailer and
Hart 1999). In terms of activities, some have suggested that tribal gangs are generally less
violent and less likely to traffic in firearms than gangs outside the reservation (Hailer 2008;
Hailer and Hart 1999; Joseph and Taylor 2003; Major et. al 2004); tribal gangs nearer urban
centers may provide an exception to this general rule (Robbins and Alexander 1995). Tribal
gangs are likely to be non-specialists involved in a variety of activities, including graffiti,
vandalism, burglary and other property offenses, and drug sales (Hailer 2008; Major and
Egley 2002; Major et. al 2004). Some have suggested that tribal gangs tend to be less
financially motivated (Hailer and Hart 1999; Joseph and Taylor 2003) and to have less
formalized structure and hierarchy (Grant and Feimer 2007; Theriot and Parker 2007; Tobin
2008) than their non-tribal counterparts.

The general risk factors facing tribal youth have been well-documented; less well-
documented is their relationship, specifically, to gang membership. In general, tribal
communities face issues of poverty, unemployment, lack of opportunity, discrimination,
alcohol and drug abuse, mental illness, high suicide rates, family dysfunction, and historical
trauma (e.g., Bell and Lim 2005; Grant and Feimer 2007; Joseph and Taylor 2003; Theriot
and Parker 2007; Tobin 2008). In some instances, these social problems place gangs
relatively low on the list of priorities for prevention and intervention in tribal communities
(Major and Egley 2002; Major et al. 2004).

The current study was undertaken in response to the Office of Juvenile Justice and
Delinquency Prevention’s (OJJDP) annual Gang Field Initiated Research and Evaluation
solicitation in fiscal year 2011. The solicitation expressly called for an assessment of how
tribal communities can effectively address gang-related challenges confronting at-risk and gang-involved youth. Toward this end, the Center for Court Innovation, in collaboration with the Tribal Judicial Institute at the North Dakota University School of Law, proposed a two-phase project seeking to document the nature and extent of the current gang problem in Indian Country, including the array of prevention, intervention, and suppression strategies developed by participating tribes.

**Study Design**

**Phase One**

The study was intended to be completed in two phases. Phase One was to include an overview of the nature and prevalence of youth gangs at ten tribal sites as well as an evaluability assessment for each site. Phase One data collection was to include detailed site visits and interviews with a diverse range of stakeholders at each of the sites. The specific agencies and types of stakeholders to be interviewed varied by site. Those interviewed in at least some of the final sites included representatives from law enforcement; corrections (e.g., probation, detention facilities); the courts; tribal and federal prosecutors’ offices; service providers (e.g., substance abuse treatment, victim services, mentoring programs); Department of Child and Family Services; Tribal Health Department; and education (e.g., administrators, school safety officers, counselors). The current report represents findings from Phase One.

**Phase Two**

Phase Two, as initially envisioned, was to gain a deeper understanding of enduring youth gang activity at a subset of sites, determined (through the activities completed during Phase One) both to have a youth gang problem and to have the data, social structure, and community support needed to facilitate further study. This second phase was to include interviews with the gang-involved youth themselves, and would seek to gain a first-hand understanding of the structure of tribal gangs and the purpose gangs serve in these young people’s lives. Youth were to be recruited using respondent-driven sampling (RDS), which assumes social linkages between individuals engaged in a given activity (in this case, gangs) and utilizes personal connections between individuals to identify and engage additional study participants. As such, one of the Phase One evaluability tasks was to assess the linkages between youth in the Phase One sites. That is, particularly in those sites that are geographically vast, we sought to determine whether gang-involved youth are relatively isolated or linked in such a way as to support RDS.
Challenges to the Study Design

Challenges in recruiting and retaining sites for Phase One, coupled with the unanticipated Phase One findings (described in Chapters Two through Four), resulted in significant modifications to the original study design. Specifically, target tribes declined participation in the study, did not respond to outreach, and/or had onerous or costly human subject protection requirements, reducing the Phase One sample to four (rather than the initial ten) sites; we did not detect a current gang problem in three of the four final Phase One sites; the geographic and social distribution (along with no discernible gang problem) effectively eliminated the possibility of RDS in three sites.²

The nature of the original project was exploratory; null findings are always a possibility of such an undertaking. Our initial Phase Two research plan presumed that we would encounter sufficient gang activity to permit RDS techniques; however, part of the purpose of differentiating distinct phases was that the results of Phase One would necessarily inform the design of Phase Two. While the Phase One findings were not anticipated, we believe that they still represent meaningful and interesting information about the state of gang activity among tribal youth. Accordingly, this report describes the Phase One findings in full.

The Project Team

The study was a collaborative effort between researchers and practitioners with specialized tribal justice expertise. The study design and implementation were undertaken by researchers from the Center for Court Innovation (hereafter, the Center). Members of the Center’s Tribal Justice Exchange and staff from the University of North Dakota School of Law’s Tribal Judicial Institute (TJI) provided insight into relevant aspects of tribal culture, and helped, along with the project advisory board (described below), to identify and recruit the Phase One tribes. Each of the Phase One site visits was conducted by a two-person team made up of one researcher and one member of the Center’s technical assistance Tribal Justice Exchange team.

External Advisory Board

Particularly given the unique challenges of non-native researchers conducting a study in tribal communities, we recognized the importance of convening an external advisory board to advise the project at all stages. We therefore recruited a group of tribal representatives

² Based on these challenges, we proposed an alternative Phase Two research design, to include interviews with gang-involved youth in one site and community surveys in two more sites. However, plans for an alternative Phase Two design are, at present, a recommendation for future research that the current project team lacks necessary funding to undertake.
from across the country, including judges, prosecutors, and other experts in tribal justice, educators, and academics. Potential members were nominated by our collaborators at TJI, the Center’s Tribal Justice Exchange, and by other members of the advisory board, with the aim of including representatives from a diverse set of tribes. The composition of the advisory board changed over the course of the five-year project, due to some members becoming unavailable and being replaced, but consisted of six or seven members across the life of the project. The primary jobs of the Advisory Board during Phase One were to identify potential Phase One sites and key points of contact at those sites. Advisory Board members were also asked to review recruitment materials and, where they had an existing relationship, to provide introductions between the study team and stakeholders at the sites.

Site Selection

In selecting sites, we aimed to develop a regionally representative set of tribes that would be large enough to support the research goals of the study, and where gang activity among youth is known or suspected to be an issue, as suggested by coverage in popular press and/or through feedback from the external advisory board. The specific set of criteria used to select the sites is as follows.

First, we determined that potential sites would need to have a total reservation population of at least 4,500 individuals. This decision was made to ensure adequate sample size.

Second, we decided that potential sites would need to have an onsite juvenile detention facility (either operated by the tribe or by the Bureau of Indian Affairs). The presence of an onsite detention facility would facilitate our ability to interview gang-involved youth in detention, and as a partial indicator of the prevalence of criminal justice involved youth in the area.

Third, we decided to only include tribes in particular states where Public Law 280 does not give states jurisdiction over crimes occurring on tribal land (i.e., potential sites in Alaska, California, Oregon, Nebraska, Minnesota, and Wisconsin were excluded). In PL 280 states, tribal youth fall under the jurisdiction of state law enforcement and are arrested, prosecuted, and detained along with the general youth population. Therefore, identifying tribal youth within a state justice system would be difficult or impossible. In addition, it would be misleading to attempt to document and assess prevention, intervention, suppression, and reentry strategies in PL 280 states where tribal communities are not as likely to initiate and administer such services. (Although Oklahoma and New York are not technically governed by PL 280, both states have separate federal laws transferring tribal law enforcement to the
state. Consequently, we determined that reservations in those states were also ineligible for the study.) While the decision to exclude PL 280 states (and practical analogues) may limit the external validity and generalizability of the study, we believe this decision is justified by considerations of internal validity as well as our research goals, some of which specifically involve understanding the justice response among tribal justice systems.

In addition to these primary selection criteria, we aimed to identify sites from a mix of urban and rural areas, in order to determine whether a nearby urban population might affect gang activity in tribal communities. Finally, we looked for sites with a nearby college or university, from which we might identify a site-based research partner with tribal affiliation to lead the implementation of the Phase Two respondent-driven sampling.

With the assistance of the project advisory board and our collaborators at TJI, we initially selected 11 potential Phase One sites that met the study criteria. However, the lack of response from tribes was greater than we anticipated and even the slight over-sampling proved insufficient to secure ten Phase One sites. Ultimately, the Phase One sample dwindled to four sites in which we were able to successfully schedule and implement site visits. There were three primary causes of drop-out among the remaining seven potential sites: outright refusal, tribal nonresponse, and institutional review board requirements that could not be satisfied.

**Tribal Refusal** Two tribes refused to participate in the study.

**Tribal Nonresponse** Despite the collaboration described above, getting responses from selected Phase One tribes proved challenging. Nonresponse resulted in delays at all steps of the process—from identifying human subject requirements and receiving relevant approval, to identifying onsite liaisons, to scheduling and coordinating site visits. Even among sites that expressed interest or granted permission, engaging individual stakeholders within sites to participate in a project in which they had no investment or interest was a challenge. Tribes had little to no incentive to participate in the study and stakeholders were, understandably, reluctant to commit to the project. A total of three sites were eliminated due to ongoing nonresponse.

**Institutional Review Board (IRB) Requirements** Identifying and meeting IRB and other human subject requirements of the Phase One tribes created unavoidable project delays and led us to eliminate several sites from the study. The lack of publically available information on tribal requirements meant that identifying the relevant procedures for tribes
was a time-consuming and challenging process. For instance, two sites required in-person appearances by the principal investigator to review the IRB application; several sites fall under the purview of multiple IRBs, with no coordination between those IRBs; application procedures were frequently not documented or unclear; and response from tribal IRBs was often slow. In several sites, after finding no information about relevant IRBs or human subject protections, we proceeded with initial study outreach, only to learn from stakeholders that there were unfulfilled IRB requirements. Two sites were eliminated from the study due to IRB requirements that could not be satisfied. Ultimately, a total of six tribal IRB approvals—in addition to the Center’s own IRB—were required to conduct research in the four final Phase One sites.

The Final Phase One Sites
Ultimately, through tribal refusal (n=2), tribal nonresponse (n=3), and barriers to approval (n=2), the potential pool of 11 Phase One sites was narrowed to four final Phase One sites:

1. **Site A** is made up of multiple communities and two tribes and is located in the Rocky Mountains. The reservation spans over two million acres. Tribal enrollment is over 10,000; about 70% of those enrolled live on the reservation. The nearest metropolitan area is just over 300 miles away.

2. **Site B** is located in the Southwest, less than 200 miles from the Mexican border. The reservation is located in a metropolitan area and covers about 50,000 acres. Tribal enrollment is over 9,000 individuals.

3. **Site C** is one of the ten largest tribes in the country and is located in Rocky Mountains, on the Canadian border. The reservation includes nearly two million acres. Tribal enrollment is around 17,000. The nearest metropolitan area is more than 100 miles away.

4. **Site D** is in the Great Plains. The reservation includes more than two million acres. Tribal enrollment is just below 50,000 members. The nearest metropolitan area is about 80 miles away.

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3 Information about the four sites was obtained from each of their tribes’ websites. In order to keep the sites anonymous, the website addresses will not be listed here.

4 Nearby metropolitan areas include only Metropolitan Statistical Areas included under the definition set by the U.S. Office of Management and Budget. That is, one or more adjacent counties (or equivalents) that have at least one urban core of at least 50,000 people, plus adjacent territory with a high degree of social and economic integration (Zients 2013).
miles away. A fairly visible national account of this site’s gang problem appeared in the popular press some years ago.

We originally planned to identify and briefly describe all sites in this introductory chapter and to anonymize the sites in subsequent detailed finding sections. However, with a total sample of only four Phase One sites, we believe it preferable to anonymize sites throughout the report.

**Site Engagement & Site Visits**

**Initial Outreach**

The Tribal Justice Institute developed an overview of each of the initial 11 Phase One sites, including a list of potential contacts. These contacts included stakeholders (or agencies where individual information was not available) across an array of disciplines, including the justice system, corrections, education, health and human services, and tribal government. We initially sought to identify a key point of contact in each site, with the idea that that individual could help identify IRB or other human subject requirements, facilitate introductions to stakeholders throughout the community, and coordinate the Phase One site visits. In three sites, we were successfully able to identify a key point of contact in an official position within the tribe; in the fourth, we contracted with a local community college (at the request of the tribal IRB) to hire a student coordinator.

A letter of intent was sent, along with a brief study overview, to the governing body of each of the 11 tribes. Where required, an IRB application was also submitted to the IRB(s) of record for each tribe; in some sites, review by the Tribal Council was required. Initial telephone outreach to key stakeholders and/or agencies at each of the sites was undertaken both to assist in identifying a key point of contact and to create a comprehensive list of stakeholders and agencies to include in in-person interviews during site visits. Ultimately, while this telephone outreach proved useful, it was also incredibly time-consuming and resulted in project delays due to nonresponse from individual stakeholders. The telephone interview protocol is included as Appendix A.

**Site Visits**

With assistance from the key point of contact at each site, study personnel scheduled a three- to four-day site visit to each of the final four Phase One sites. During these visits, each two-person site visit team (one researcher, one practitioner) interviewed a variety of (adult) community stakeholders who regularly come into contact with youth and/or crime in the
course of their professional or tribal roles. A total of 55 stakeholders participated in in-person interviews across the four site visits (range: 9 to 19 stakeholders per site).

Agencies/roles represented in interviews include law enforcement (e.g., police and prosecutors), schools, corrections, the courts, treatment providers and social service agencies, government agencies (e.g., Health and Human Services, Department of Health and Wellness), and social clubs (e.g., Boys and Girls Club). Stakeholders were interviewed individually or in small groups of individuals who worked together in a single agency. The site visit interview protocols are included as Appendix B; items were included or excluded based on their relevance to the group or individual being interviewed.

Analysis Plan
The two-person site visit teams took detailed notes throughout the site visits. Immediately following the site visits, the lead note-taker (a role typically assigned to the practitioner on each site visit) typed out their detailed notes; the research staff then reviewed the notes, supplementing them with their own notes, observations, and recollections. The three-person research team reviewed complete site visit notes across the four sites and coded the notes thematically. Once the researchers had identified and agreed upon major themes and resultant findings, these were presented to the practitioner site visit partners to assure team consensus. Where there was dissent over findings or implications, the group reviewed site visit notes to see if additional insight could be gleaned. However, it is worth noting that there was no dissent over the overarching themes identified.

Evaluability Assessment
In addition to assessing stakeholder perceptions of youth gang activity at the Phase One sites, the site visits served the purpose of assessing the viability of each of the Phase One sites for further study in the originally planned project Phase Two. Specifically, the site visit teams sought to determine: (1) the existence of official records data and documentation collected by tribal agencies (e.g., documentation of current caseloads, specific gang ordinance within the penal code, databases that could be shared with outside researchers); and (2) the feasibility of a respondent-driven sample of gang-involved youth. Toward the latter end, the team needed to assess three primary components: (a) the presence of gang-involved youth in the community; (b) the existence of a network between gang-involved youth—i.e., that gang involved youth know each other and can refer each other into the study; and (c) the availability of a potential local (or nearby) research partner to oversee the RDS component of the study. As revealed throughout the study findings, both of the first two necessary
components for RDS proved problematic in three of the four sites; the fourth site appeared to be well-situated for successful RDS.

**Organization of the Report**

The remainder of the report presents the findings from the Phase One site visits. Findings are organized according to three substantive areas: the prevalence and nature of youth gangs in the four sites (Chapter 2); community responses to youth gangs (Chapter 3); and other youth-related problems on the reservation (Chapter 4). Unless otherwise noted, findings from each of the four sites are incorporated in the discussion in the results chapters; where a specific finding is not relevant for one or more sites, this is also indicated in the text. Chapter 5 concludes with a discussion of the findings and study limitations and recommendations for future research.
Chapter 2
Prevalence and Nature of Youth Gangs

The following chapter begins with the current prevalence of youth gangs in the four study sites. The section is proceeded by findings about the nature of gangs at these locations, including member characteristics, recruitment strategies, initiation requirements, gang structure, activities, and rivalries. The chapter concludes with a discussion on how geographical location of the reservation impacts the nature of gang activity.

Current Problem

Only one of the four sites consistently reported a current and identifiable gang presence. Representatives from another site said that gangs were previously a problem, but that tribal efforts to address the problem had been largely successful. The evidence of past and current gang problems in the other two sites was mixed.

Site A Stakeholders across fields (e.g., law enforcement, schools, justice system) in this site agreed that there was a gang problem in the early 2000s through 2010, with close to 300 members identified. A school representative reported that “[The gang problem] was unmanageable for us, more weapons, more kids felt like having to pick a gang to be part of. I was intimidated.” The problem was sizeable enough to precipitate both a gang task force comprised of local, state, and federal law enforcement agencies and a gang ordinance, penalizing residents for wearing gang colors or flashing gang signs and giving stiffer penalties for criminal activity thought to be gang-related. Some stakeholders reported that the gang problem disappeared or was resolved directly as a result of these legal tactics. At least one interviewee suggested that gang membership was a fad, with aging gang members either “aging out” of the lifestyle or being incarcerated and, thus, unable to sustain gang influence in the community. Another interviewee reported crime rates on the reservation are as high per capita as any dangerous big city, but that community youth do not have the resources or connections to sustain “real” gang activity like heavy drug trafficking. Instead, youth are involved in low-level drug offenses, property crimes, truancy—none of which are organized by gang membership.

While stakeholders generally saw the gang problem of the early 2000s as resolved, there was some concern among law enforcement that the community could experience a resurgence of gang activity, as older members incarcerated under the gang ordinances are released from
prison. These concerns arose specifically out of reports that a former gang leader would be released soon and had plans to reestablish the gang. One law enforcement representative worried that a resurgence, “is a very real possibility, and [the community] could be blindsided by it. There’s still an ember that can flare up at any time.”

**Site B** Gangs were a definite problem in this site. Stakeholders reported there could be as few as 14 or as many as 22 currently active gangs; law enforcement stakeholders were able to provide names for most of these. A federal indictment of 11 gang members in 2011 drew a lot of media attention, and members of the Tribal Police Gang Taskforce speculated that gang members were subsequently more cautious. In general, stakeholders did report some declines in gang membership after 2011, but disagreed as to whether activity was on the rise again. One school stakeholder noted an increase this school year in the number of gang-involved youth, including “tagger crews,” estimating that the percentage of high school students in gangs ranged from a high of 90% to a low of 40% following the 2011 crackdown, with currently about half of the students thought to be gang-involved. The recent rise led the schools to reinstate a strict dress code outlawing gang colors in schools. Members of the criminal defense bar noted that juvenile cases were down and attributed declines to increased awareness and intervention efforts among families and other community members resulting from a new gang ordinance.

**Site C and Site D** Interviews at the two remaining sites revealed mixed evidence of past or current activity. While some stakeholders reported that there used to be a gang problem, others believed gangs were still a problem. A common sentiment was that “official” youth gangs did not exist, but that youth often play-acted at the type of gang dress and symbols they saw in popular culture. A related trend—sometimes noted by stakeholders themselves and other times picked up by the research team—was the attribution of the title “gang” to groups of kids experimenting with identity and subculture (e.g., “goth” dress, skateboarding, Insane Clown Posse “Juggalos”) or participating in criminal mischief, graffiti, drug use, or other criminal behavior. While such behavior often occurs in peer groups, as typically described by stakeholders, it lacks the level of formalization and singularity of purpose underlying true gang activity. Stakeholders at both these sites reported that gang activity did not pose as great a risk to youth in their communities as the more pressing problems of drug use, poverty, lack of family structure and supervision, and suicide. In the end, there was not collective agreement in either site as to whether gangs did or did not exist. In light of such discrepancies in perception, it seems unlikely that gangs are a major force at play in either site. However, where stakeholders reported some trends in either current or past gang activity, it is noted in the descriptions below.
The issue of mislabeling gang members came up at all four sites, pointing to the possibility that the true extent of the gang problem has been overestimated by some stakeholders. In Site C, an interviewee from alternative education said, “If you get money to fight gangs, you have to create gangs to fight.” Other stakeholders were concerned that individuals were being labeled as gang members, because they belonged to families who were known as being in a gang. In Site B, the police department adds a name to the gang member database whether or not there’s been a crime committed. Once someone is identified as a gang member, they stay in the database forever.

**Member Characteristics**

According to stakeholders, gang members on the reservation were predominantly male. Females were less likely to feature prominently in the gang, but were reported to have a role. In Site A, females reportedly acted as drug mules or the girlfriends of gang members, playing only a minor role in gang activity. In Site B, gang membership was intergenerational and females were seen as playing a role in incorporating gang symbolism into children’s early lives—for instance, by dressing babies in gang colors to reflect their family’s membership.

Members in Site A were also mostly younger, but adults took part, as well. In this site, members were generally initiated between ages 8-12, while older members were in their 40s. Interviewees explained that the young members generally work for the older guys doing break-ins, because if they get caught then the penalty will not be as severe since they are juveniles. In Site B, families brought up children with loyalty to the family’s gang of choice, but recruitment into serious gang activity tended to be later—18 to 21, as described further below.

**Recruitment**

**The Influence of Pop Culture**

Native American gang members are often influenced by pop culture, and were referred to by law enforcement in several sites as “wannabes” because they imitate mainstream gangs, such as the Bloods and Crips, without formal ties to these gangs. Interviewees across sites mentioned the influence of gang movies, television (in particular, a show called “Gangland”), and popular music in contributing to the idealization of gangs. In fact, at least one stakeholder in each of the four sites suggested that the problem youth behavior described by other community members was a sort of play-acting at the types of “thug” behavior depicted in popular culture. In one site (Site B) this attitude was supported by only one stakeholder; in other sites it was a much more common interpretation of gang-influenced
clothing styles, tattoos, language, and activities. Gang members—particularly younger members—were also said to use social media to publicize their illicit activities and as a recruitment tool.

**Protection**

For youth on the reservation—who have limited positive means for attaining social status—gang membership presents one possible way to establish a reputation. For others, the appeal is less about status and more about survival. Membership in a peer group, at least, was a noted means of protection from bullying and other gangs by stakeholders in Site C. According to a stakeholder in alternative education, respect is particularly important in tribal culture, and disrespect was often a source of fights among tribal youth.

**Economic Incentive**

Site B is unique as a fairly affluent tribal community. Gaming revenue has been quite lucrative for the community. All members of the tribe receive quarterly per capita payments from this revenue starting at the time they turn 21 (18 if enrolled in school/vocational training). These per capita payments begin accumulating at birth; therefore, the initial payment when members reach adulthood is sizeable. The per capita payment was named as the source of an array of community problems by stakeholders—from a lack of motivation to work to funding for a number of aberrant behaviors. Multiple stakeholders reported that gangs in particular recruit among those members who are soon to receive their per capita payment, with the understanding that recruits must pledge a percentage of their windfall to the gang’s coffers. In part as an effort to stem illegal gang activity, during the research team visit, the community was preparing to vote on a referendum that would cause members to forfeit future payment if they were convicted for a serious felony offense. However, the referendum failed to pass, leaving even incarcerated tribal members and those with a serious criminal record with a guaranteed income for life.

**Outside Influences**

Stakeholders from several sites referred to outside entities coming into their communities and recruiting members. In Site C, several stakeholders maintained that Mexican cartel members would marry Site C tribal members as a way to establish a business presence in the community (which is some 2,500 miles from the Mexican border) and recruit tribal members to deal drugs, in order to avoid arrest of cartel members. It was unclear whether such claims were founded or a sort of urban legend, but the lack of an existent gang problem suggested possibly the latter.
At another site (Site A), a recent employment boon in a neighboring state was felt to have created more opportunities for money and a resultant drug market. One law enforcement officer said that, “men from the area have drugs and money, and they’re sharing and starting families with native women.” This stakeholder reported that some tribal women also act as mules, bringing the drugs from the next state; other tribal families take in individuals tied to organized crime, essentially trafficking their daughters for drugs. This idea seems to have been promoted by the gang expert hired by the tribe, whom the law enforcement representatives we spoke with generally held in high esteem.

Stakeholders at multiple sites spoke of “travelers”—kids who move around a lot and bring gangs back to the reservation. According to law enforcement in Site A, the gang 3x5 Locos was brought to the area by a youth living in a nearby state who returned to the reservation. He left again, but his nephews have carried on the affiliation. In Site B, an interviewee said that a few of the gangs are “homebred,” but most are imports from nearby cities.

It is worth reiterating that, in Sites C and D, evidence of gang activity was limited to stakeholder reports and those reports were conflicting. While some stakeholders in these sites reported indicators of gang activity, many suggested that this type of activity lacked the organization and intent to truly meet the definition of gang activity.

**Formerly Incarcerated Individuals**

Several sites discussed the prevalence of gang members in prison, particularly in Site B, where a third of the inmate population at the tribal detention facility are identified gang members. Stakeholders from Sites A, B, and C mentioned that specific gangs had been introduced to the reservation by tribal members returning from state and federal prison facilities.

Some saw incarceration as a mark of status: members come back from prison after being exposed to other gangs, and are emulated and respected. In contrast, members who leave the reservation to go to college face ridicule and criticisms that they see themselves as “too good” for tribal life. In Site D, stakeholders heard rumors around the community that former gang members, while purportedly reformed after release from prison, are coordinating

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5 This site uses seven criteria, in collaboration with state law enforcement, to identify gang members. Individuals must meet two of the seven criteria to be categorized as a gang member. Individuals thus identified are then flagged in a database shared between corrections and tribal police.
recruitment among younger members. An interviewee from Site B reported that youth sent to group homes learn about gangs from peers in these facilities.

**Family Ties**

Stakeholders from across disciplines talked about the familial nature of gangs, where parents recruit their children and kids are raised in the gang, or feuding families become gangs in themselves. The largest gang in Site B, the Bloods, is reportedly generational. The pressure for family members to join gangs and live up to familial expectations can be strong. A probation/juvenile diversion program coordinator explained, “Kids feel, ‘I have to keep my rep’ from being in this [gang-involved] family.” Others suggested that was all kids from such families knew, after a lifetime of indoctrination.

**Initiation**

There was limited information about initiation ceremonies and even less of this information went beyond hearsay. Several interviewees suggested that males might be “beaten in.” Others added that they had seen “branding,” where tattoos were burned on their skin, or youth were forced to drink a liter of whisky in a short period of time. A couple of interviewees from Site A mentioned that female initiates are forced to have sex with members; stakeholders in Site B did not think there was evidence of these types of initiation requirements in that site. However, in that site (the only one with a current gang problem), the family court judge reported seeing a juvenile who had been badly beaten as part of an initiation ritual.

Once in a gang, stakeholders report that it is difficult to leave. This is true outside of tribal communities, but may be more so due to the insular nature of these communities. The only way to exit is to leave the community entirely, because otherwise gang members cannot be avoided at events and family gatherings. In Site B, police officers said they had only seen two kids leave a gang in the past 15 years. “They were ridiculed and threatened. One’s house was burned down. They had to enter witness protection and move away.” Tribal members who do leave the reservation are stigmatized if they ever return. In Site B, they are referred to as the derogatory term “apples”—“red” (i.e., native) on the outside, white on the inside—due to conformity to non-tribal norms and perceived rejection of community and tradition. While exiting a gang outright is difficult, stakeholders across sites reported an expectation that older members would often “age out,” becoming less involved as they get older without facing stigma or retaliation.
Gang Structure
In Site B, the structure of the gangs differed according to who was being interviewed. One person believed that gangs are highly organized such that there was a hierarchical structure with leaders who managed the operations, and those below them carried out the operations. Another said that youth gangs don’t have a tight structure, mentioning that there are multiple leaders, but no kingpin.

Gangs in the other sites—where perceived—were loosely organized. This loose structure parallels what others studying tribal gangs have found (Grant and Feimer 2007; Theriot and Parker 2007; Tobin 2008). While they may have a hierarchy based on age, where adults take on a leadership role, responsibilities were generally not delineated across members. In Site A, a law enforcement officer said, “If you have a group of 20 wannabes doing gang activity, then yeah, it’s a gang, even if it’s not sophisticated.”

Activities
In Site B, law enforcement reports that most if not all gang members commit crimes, including property damage, graffiti, vandalism, robbery off the reservation (because detection and punishment are less likely), drug sales and use, and fighting. As suggested by prior research in tribal communities (Hailer 2008; Major and Egley 2002; Major et. al 2004), gang members in these sites tend to be generalists and opportunists rather than specializing. In the past—before strict anti-gang policies were adopted—the high school in Site A had daily fights (mostly gang or drug-related), as well as drug use by students at school.

Particularly in sites without a clear and present gang problem, it was challenging to disentangle activities that signify “gang” to stakeholders from those that were truly executed by gang members. That is, stakeholders frequently attributed specific activities—for instance, vandalism, graffiti/tagging, drug sales, property crime, and assaults—to gangs. However, the presence of those same activities was sometimes the only indicator that led interviewees to conclude that gang activity must be present on the reservation.

Case in point: In Site C, the activities gang members were involved in were relatively minor offenses, such as vandalism. One stakeholder explained:

[Tribal youth engage in] some troubling rites of passage: smoke too much, petty crime, drink too much... [The same] stupid adolescent behavior that you see in the suburbs, but not with the frequency they do here... They are playing gangsters.
However, a law enforcement officer in the same site suggested this type of activity could become more serious, noting that the Insane Clown Posse (ICP) had been intensely active on the reservation for two to three years. One ICP member brought a gun to school, but he was caught before anything happened, after other ICP members alerted the police. Members of ICP were also reported to be involved in at least two gang rapes at this site.

The more organized gangs of Site B were reported to have firearms, including semi-automatic weapons, and to engage in illegal gun sales. Narcotics sales were also noted as a gang activity in that site. Substance abuse was common among gang members (as well as many non-gang members) and was often the involved in the commission of crime. In some instances, crimes were gang-motivated, meaning they were committed for the purpose of serving the gang (e.g., assaulting someone out of retaliation, drug sales to support gang operations). Other crimes undertaken by gang members did not directly serve the interests of the gang. Stakeholders from several sites mentioned that criminal activity was frequently perpetrated by younger members who did not yet have a criminal record (or had a limited record), since they were less likely to spend time in jail.

**Rivalries**

Since many of the gangs reported were intergenerational family groups, gang rivalries tended to represent historic feuds between families. The sprawl of many of the reservations and lack of transportation options make it difficult for gangs to be too territorial, but some stakeholders did report different groups established in specific neighborhoods or towns. For example, Site A referenced the “Northside Bloods” and the “Eastside Crips,” and, in Site D, a gang was said to be named after the town they were from.\(^6\) While rival gangs from different cities were reported by some stakeholders within that site, feuds between groups were thought to be less about territory and more between those who see themselves as “full blood” tribe members versus those who are not. In Site B, there are no designated gang streets, but there are designated gang houses where the groups hang out and hold meetings. Stakeholders in that site suggested that inter-gang rivalries are not common on the reservation, since members of opposing gangs are all related or at least all know each other in such an insular community.

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\(^6\) In Site A, these distinct gangs were said to have existed historically; currently, kids were thought to display associated colors as a form of imitating these well-known gangs. In Site D, some stakeholders believed this named group represented a true gang, others felt it was a disorganized group play-acting.
Geographic Location

The only site to have a consistently agreed-upon current gang problem is located on a reservation directly adjacent a major metropolitan area. Based on the feedback in all four sites, this direct access to a city appeared to provide access to resources (e.g., weapons, drugs), contributing to more serious gang activity in that site, as opposed the other sites (which were all more than 80 miles from the nearest large city). Law enforcement in Site A commented that people at that site do not use guns as commonly as more urban gangs. Tribal members prefer, “Up close and personal violence. No gun [violence]—and we have a hunting culture, so folks have guns—but we like fists and homemade weapons.” There was concern that if there is an influx of money from new industry near the reservation, guns might become more accessible, and, thus, violent gang activity might increase.

While a reservation located near a more urban environment might have been related to more serious gang activity, isolation was also noted by stakeholders as contributing to the creation of gangs. In the sites that were farther away from cities, interviewees commented that kids were bored and there were few positive resources (e.g., Boys and Girls Clubs) to occupy their time. Bored youth become involved in delinquent activity and, potentially, form gangs according to some stakeholders. Again, whether the delinquent group activity in these sites truly reached the level of gang activity was contested in all three rural sites.

Summary: Prevalence and Nature

Interviews revealed that a past gang problem in one site had been successfully curbed, while gang activity in a second site posed an ongoing and acknowledged community problem. Reports in the remaining two sites were difficult to interpret. There was not a consensus among stakeholders at either site regarding whether a current problem exists; stakeholders who believed there was a problem frequently cited graffiti and low-level crime, along with symbols that other stakeholders maintained were simply coopted from popular culture (e.g., fashion, gang colors, gang signs), as indicators that gangs have a presence on the reservation. Others suggested that the “problem” was just a fad among young people and even that increased interest in the area brought resources and scrutiny to activities that would have otherwise been seen as typical youth rebellion, lacking the structure, organization, or discipline of a gang. Given the lack of agreement between members of these two communities, it is difficult to make definitive statements about the presence of gangs at either site. However, the anecdotal evidence and generally unsupported (by other tribal members) claims suggest to the research team that reports of full-blown gang activity in these sites are dubious.
A few findings of particular interest warrant emphasis. First, the only site with a clear and present gang problem is both geographically adjacent to a major metropolitan area and relatively affluent. Both factors were seen as central to gangs in that site. The influence of urban gangs and more ready access to resources such as drugs, guns, and so on were mentioned as encouraging gang activity; likewise, the per capita payments received by young adults was seen as both discouraging individuals’ career aspirations and encouraging intensive recruitment by the gangs. Second, gang membership was reported to be intra-generational, with children indoctrinated in gang loyalty by family. Particularly in communities where family instability is frequently cited as a social problem impacting youth (see more on this topic in Chapter 4), this role of the family in gang life seems noteworthy. This is different than assertions—also made by some interviewees—that gangs fill the unmet need for family connection among youth who become involved in them; instead, stakeholders reported that children are raised by family members who expect and require allegiance to the family gang.
Chapter 3
Response to Youth Gangs

Communities developed a range of responses to detected or anticipated gang activity. This chapter describes responses from changes to the tribal code, to enhanced law enforcement attention, to prevention and intervention efforts, to cultural programming geared to promote tribal engagement over gang involvement.

Legal Response
All four sites had created a gang ordinance or made changes to the tribal code to respond to gangs. The ordinances/tribal codes stipulated that tribal members could not be seen wearing gang colors or accessories (e.g., bandanas) in specific areas (most typically schools). In one site, the school dress code, instituted in 2005, prohibited students from wearing “even a stitch” of red or blue and is strictly enforced. Security checks each student’s clothing each morning; all bags are searched before students enter the building; and students are scanned with a wand metal detector every day. School safety officers also perform full searches and pat-downs randomly.

The creation of the Gang Task Force in Site A led to their anti-gang ordinance, which stipulates that the Task Force can confiscate gang paraphernalia and use it as probable cause to search for weapons. Law enforcement took photographs and made contact cards identifying suspected gang members. Officers referred to their approach as “legal bullying,” and all law enforcement was responsible for enforcing it. The response from community members—particularly parents—was anger at what was seen as overstepping and potentially stigmatizing youth based on questionable evidence.

Ordinances exist in the tribal code even in sites without an identifiable gang problem, but they are poorly enforced, according to interviewees. In Site C, the prosecution of gang members is “a mess.” According to stakeholders, there is loose interpretation of the law, with little discernable rhyme or reason why specific cases are prosecuted or dropped. In Site D, an interviewee challenged the effectiveness of the ordinance, saying that it only worked to make gangs more careful. Another criticized it for being too broad, with the definition of a gang so vague it could include family members.
Site B began with school security staff documenting suspected gang involvement and gang-related incidents, photographing students’ gang tattoos, and presenting this data to the School Board to demonstrate the gang problem. Schools developed a tracking system to document gang-related activity; this documentation allowed schools to punish gang members more harshly. Site B law enforcement also created Gang Member ID Cards (GMICs), an identification policy based on guidelines from the state. Suspected gang members must meet two of the seven criteria to be classified as a known gang member; this information is posted to a database shared by the Department of Corrections and Police Department staff. Some stakeholders in this community worried about the implications of inaccurate identification. A defense advocate from Site B was concerned that teens might be labeled incorrectly, simply because they are part of a family known for gang activity. The police department creates GMICs whether or not a crime has been committed and once someone is identified as a gang member, they stay in the database forever. So the implications of incorrect labeling potentially impact community members for life. Another interviewee suggested that there should be a way to remove youth from the list of known gang members if they stop offending.

Site B also changed their tribal code to include a sentence enhancer for gang membership, requiring a minimum of a one year of incarceration. However, convictions for the gang charge are rare; because of the mandatory sentence, there is a tendency for defense and judges to push for a lesser plea. The site also enacted a graffiti ordinance, where offenders can be charged for multiple tagging incidents. In general, stakeholders in this site suggested that inconsistent prosecution and sentencing—in spite of changes to official codes—did little to deter gang activity. Stakeholders felt only select (easy) gang cases are prosecuted, and those who are prosecuted are only convicted of low-level crimes. Plea deals are very generous and there are few trials.

Law enforcement in Site B also felt frustrated by the minimal prosecution of gang members, reporting that other criminal justice system players were not “backing up” the actions of the tribal police department’s Gang Squad. Police representatives advocated for an aggressive, proactive criminal justice response to undermine gang operations, as well as the use of banishment or rehabilitation efforts to address the issue. The familial nature of gangs in this site also posed a challenge, according to law enforcement. Families of gang-involved youth would sometimes appeal directly to the Tribal Council and influence the criminal justice outcomes for their children.
Mothers sometimes cover for their kids who are in gangs, gangs are normal to these families and criminal activity is seen as acceptable; family bonds are used for negative things—this needs to be flipped so family bonds are used for positive things.

As mentioned previously, there was much discussion of a ballot measure to eliminate per capita payments to convicted offenders during the visit to this site. Researchers heard many arguments on both side of the issue; one argument for the referendum was that it would act as a deterrent to would-be criminals. The referendum was ultimately voted down by tribal members.

**Law Enforcement**

Law enforcement responses across sites emphasize intra-agency collaboration and information sharing. One site in particular stressed the tenets of community policing and prioritized activities that would build positive relationships with local communities.

In Site A, law enforcement collaborated with state and federal agencies to create a Gang Task Force. According to the officers interviewed, Site A benefits from a cross-deputized agreement, which allows tribal, state, city, or federal law enforcement officers to enforce laws outside their jurisdiction, regardless of the perpetrator. The cross-deputization contributes to collaboration across agencies, because they are able to share information and work together. The tribe also hired a gang expert to do an analysis of gang prevalence in their community. While some praised the help of the expert, others were not convinced. Critics suggested that the hefty price tag for this expert consultant ensured a diagnosis of a serious gang problem, despite a lack of consensus among community stakeholders.

A sheriff in this site stressed the importance of a community policing model. Five to six sheriff’s deputies work as coaches for the schools, where they seek to be positive role models for local youth. The tribe funds a school resource officer, who is a member of law enforcement. The sheriff emphasized the importance of using extra-curricular programs like Little League, football, and post-prom parties. By sponsoring such activities, police aim to offer alternatives to delinquent behavior and boredom for youth, while simultaneously building trust and relationships throughout the community.

In Site B, there are two law enforcement task forces: a statewide Indian Gang Task Force and a local Tribal Police Gang Task Force. Both were established with the goals of sharing information and collaborating. In particular, since many gang members travel between tribal communities in the area, law enforcement across these communities is interested in tracking
gang activity. The state task force includes representatives from several tribes and the state. However, tribal police representatives said there was a general lack of buy-in from the tribal government in Site A, which was believed to prioritize sovereignty over community safety. The state maintains a database of known gang members, but the tribe does not use it—purportedly for fear of losing sovereignty of local cases. The local police task force is made up of five officers; one of these officers is, himself, a member of the tribe. The local task force’s focus is primarily on apprehending those involved in local gang activity, but they also conduct trainings and limited awareness programs throughout the community. Police reported that the department was previously engaged in more prevention efforts, but that role was eliminated when funding for the program ended.

Law enforcement at the remaining sites experienced challenges around organizing a response to gangs. Site D lacked the resources and has been understaffed. The police department in Site C suffered from numerous administrative changes, and the tribe lost control of their law enforcement several times to the Bureau of Indian Affairs (control was returned to the tribe in 2008). Some probation officers had gang identification training. One officer expressed disappointment with how the police department in this site had served the community, stating that the police have, “historically let the community down.” While there was general agreement that law enforcement in Sites C and D were unequipped to respond to serious gang activity, it is worth again noting that there was not a universal—or even majority-held—belief that either community had a pressing gang problem to address.

### Intervention and Prevention Efforts

Gang-specific intervention programming targeting youth already involved in gang activity did not exist at any of the sites. The only type of “intervention” for gang members discussed by stakeholders was arrest, prosecution, and incarceration. One stakeholder from Site B commented,

> The criminal court response is failing miserably. There’s no program or plan available for these kids. The only options are probation or detention or inpatient treatment, which can’t be local because of rival gang members.

### Gang Prevention

None of the sites had programming specifically directed at preventing gang membership. The evidence-based gang and prevention program G.R.E.A.T. (Gang Resistance Education and Training) was previously used by schools in Site A, Site C, and Site B, but none currently offer the curriculum due to a lack of additional funding. Police officers in Site A do teach
D.A.R.E. (Drug Abuse Resistance Education), which also includes a gang membership and violence component. However, D.A.R.E.—at least as historically implemented—is not an evidence-based program.

Other Prevention Efforts
Stakeholders in Site C report that the schools in that community use the evidence-based Olweus Bullying prevention program because bullying—unlike gang activity—is a significant problem in schools. According to a school counselor, the schools have seen less fighting and bullying incidents since introducing the program. Otherwise, prevention programming is virtually nonexistent. A probation officer responded that the approach is more “putting out fires,” suggesting that the response to youth problems on the reservation is more reactive than proactive.

Schools in Site A provide positive programming aimed at engagement, building student self-esteem, and promoting academic success. The schools offer extracurricular activities and tutoring. A previous policy requiring students on sports teams to pay to play had recently been jettisoned based on concerns about excluding students with limited financial resources. The school provides free breakfast and lunch to every student. However, one school principal acknowledged that for kids who are already disengaged, it is difficult to reach them with such programming. In the early 2000s, the community had a Boys and Girls Club, but it folded when funding disappeared. A new community center was built just before the visit to this site and many stakeholders interviewed were hopeful that it would provide a place where community youth could spend time.

Site B offered the most in terms of prevention programming. Corrections representatives indicated that there were plans to start an Alcoholics Anonymous chapter for youth. The community has an active Boys and Girls Club, which operates in two different sites. Program representatives indicated that membership starts to drop off once kids hit fifth and sixth grade and no longer want to participate because they may have been involved since kindergarten and/or because they want to be perceived as “cool” by peers. However, the positive influence of the Club is sustained, according to representatives. While kids may age out of the program, they generally continue to engage in other positive activities (e.g., school teams, sports) and some return to the program after a hiatus. The community also supports the DON’T Program for at-risk youth, including diversion cases, court-ordered youth, and voluntary referrals. The program serves eight to 13 kids at a time, and runs in three cycles.

_A revised curriculum, Keepin’ it REAL, was introduced in 2009 and has been shown to have more promising results (Hecht, Graham, and Elek 2006)._
during the school year, with a youth employment program during the summer. Program activities included touring the local detention facility, completing community service (e.g., picking up garbage), viewing a film about other jails/programs, and visiting the tribal museum to learn about their own culture. Raising gang awareness is also a component of the program.

**Intervention and Suppression**

The graffiti abatement program in Site B is funded by the Department of Public Works and the coordinators work closely with both the tribal police and recreation departments. Program staff photographs graffiti across the reservation and report new incidents to the police, who then file a report. Other incidents are reported to police by community members. Youth charged with tagging or graffiti, as well as others mandated to community service, are referred to the program by police, corrections, and the prosecutor’s office. Sometimes program participation takes the form of restitution for the cost of graffiti removal; other times it is mandated as community service. Program staff works with the youth to paint over graffiti and talks about the detrimental effect of graffiti on the community. Program staff speculate that 60% of the graffiti they cover is gang-related; the criteria for so categorizing graffiti includes being near a known gang house or including specific gang symbols, but is otherwise subject to staff judgment. In the past, the program has worked with graffiti artists to create public art projects.

Tribal Family Services at Site B also offers intervention programming for young women and men who are directly or indirectly gang-involved. Two primary programs serve these populations: The Fatherhood Program is 24 weeks long. The men meet weekly to learn about active fathering, communication skills, co-parenting, media awareness, and job readiness skills. The Healthy Relationships program targets women and men, and also works on issues related to communications, co-parenting, and recognizing and building healthy relationships. Participants in Healthy Relationships meet weekly for 24 weeks.

**Reentry**

Stakeholders from several sites expressed frustration over lack of reentry options; gang members would go off to detention or treatment and distance themselves from gang affiliates, but then would return to the same environment—and the same behaviors—once released. In addition, some detention and most residential treatment options are located off the reservation. When youth are sent to an outside (non-tribal) facility, they do not benefit from culturally-based treatment methods that could be integral to their improvement.
Cultural Programming

Stakeholders in all four communities mentioned the importance of a strong cultural identity for preventing delinquency in general and gang activity specifically. Many expressed the belief that a lack of identity and understanding of their cultural heritage led youth to drift toward gangs, in order to fulfill the missing sense of community. Accordingly, each of the sites had developed some form of cultural programming targeting young people. The specific type of programming varied by site; interviewees specifically mentioned drum circles, dances, sweat lodges, pow wows, and naming ceremonies (where a youth is given a name in their own language). The traditional practices are meant to give youth a sense of identity and belonging, in hopes that this will diminish the appeal of gangs.

However, stakeholders frequently expressed frustration with the implementation of cultural programming. In Site D, it was mentioned that the elders are reluctant to participate unless they are reimbursed for travel (the reservation is geographically vast and trips can become costly). Others believed that substance abuse has interrupted spirituality and that the communities are so fractured by the problem that they cannot unite to work on preventing gangs.

In Site C, one stakeholder in education felt that the cultural practices were not inclusive, but were reserved for families with higher socioeconomic status. “We are resource rich, but [it’s] hard to get it to the masses.” He explained that there are kids on the reservation who have never been asked to go to a sweat and who do not have any adult in their life who can help them go to one. Engagement in such activities was more likely among youth with engaged and present families; as discussed in the next chapter, family dysfunction was a common problem mentioned by stakeholders in all sites.

Summary: Institutional Response

Stakeholders from all of the sites used multiple means to address the threat of gangs. Primarily, each site made changes to their tribal code by adding a gang ordinance, which banned people from doing anything that would identify them as a gang member, and created harsher penalties for gang members if caught committing a crime. However, such ordinances were often poorly enforced or still on the books despite an uncertain gang problem. Law enforcement in two sites participated in collaborative efforts with other agencies to address gang activity. Not surprisingly, stakeholders spoke of the need for additional funding and training to support such efforts.
Prevention and intervention programming, particularly programs specifically targeting gang activity, was less common. G.R.E.A.T. had previously been implemented in three of the sites, but was no longer operational at any site. Culturally-based activities designed to help young people build an identity and sense of cultural heritage were more common, though not specifically designed to prevent gang activity.
Other Youth Problems

Obstacles such as violence, drug and alcohol use, poorly funded schools, discrimination, and racism place incredible burdens on American Indian youth... Issues such as unemployment, poverty, and lack of housing—not to mention poor housing conditions—create an environment of stress and anxiety... Ultimately, such conditions lead many American Indian kids to depression and, tragically, some of these children even commit suicide (Campbell 2000).

Previous research has documented the high rates of substance abuse, poverty, trauma, violence, and suicide in tribal communities (e.g., Campbell 2000; Myers, Campbell, Lim 2008; Pridemore 2004; Swaner et al. 2015; Wagman Borowsky et al. 1999; Walls 2008). The policy of effectively removing Native American children from their homes has been said to have left generations of Native American parents with little connection to their community and no parenting role models (Hollow 1982). In the general (non-tribal) gang literature, many of these same factors have been linked to increased risk of gang involvement. Specifically, poverty; poor parental supervision (Gilman et al. 2014); delinquency, violence, and drug use at an early age (Craig, Vitaro, and Tremblay 2002); trauma and violent victimization (Craig et al. 2002; Hill et al. 1999; Lahey, Gordon, Loeber et al. 1999; Taylor, Freng, Esbensen, et al. 2008); experiencing early life stressors (Eitle, Gunkel, and Gundy 2004; Thornberry, Krohn, et al. 2003), and poor quality education (Gottfredson 2013) have all been identified as risk factors for gang involvement.

According to the interviewees, youth in the select sites are exposed to a multitude of these factors that may put them at increased risk for becoming involved in delinquent and gang activity. Factors frequently mentioned during site visits include substance use and abuse, trauma, exposure to violence, family instability, poverty, suicide, and lack of resources and pro-social activities. None of these exist in isolation, but rather impact and potentially compound each other. Stakeholders across sites frequently noted the pervasive feeling of hopelessness on reservations. In some cases, gangs were thought to offer young people something positive, either in terms of a higher cause, a “family” of sorts, or a status symbol that provides an escape from this hopelessness. In other sites, the multitude of problems facing tribal youth placed gang activity far down in the list of stakeholder concerns. That is,
while such problems may increase the risk that gangs will appeal to young people, the problems themselves—particularly in the absence of an existing gang network in a given site—were frequently held as more pressing community concerns than gang activity.

**Alcohol and Drugs**

Gang activity was seen by many interviewees as a non-existent problem or a secondary problem. On the other hand, across sites, stakeholders reported that alcohol and drug abuse have a devastating effect on these communities. Both youth and adults are impacted by addiction; prenatal exposure to drugs and alcohol was also mentioned as a community problem and risk factor across sites.

Methamphetamine and prescription pills were the most frequently mentioned drug problems across the communities; alcohol abuse was also regularly mentioned in all sites. A law enforcement representative in Site A lamented, “We absolutely do not have a handle on the drugs.” In several sites, the alcohol and drugs were believed to be brought in from a neighboring state or another country; in Site B, the neighboring metropolitan area was believed to be an easy source of both drugs and guns. Substance abuse presents not only a health concern; law enforcement representatives in particular noted that addicts commonly turn to property crime, theft, and robbery to support their habit.

**Exposure to Violence**

A previous study conducted by the Center for Court Innovation found that Native American youth are exposed to multiple kinds of violence at rates much higher than youth living off reservations (Swaner et al. 2015). Stakeholders in the current study reported that bullying, suicide, and sexual violence are all common on these reservations. Consequently, young people face depression and trauma; coping with present crises often takes precedence over focusing on future plans or long-term thinking.

“Kids are enamored with death and destruction on this reservation.” One educator from Site A said he had been to 20 funerals for past and current students in his 17 years as educator on the reservation. In Site C, it was reported that there had recently been 18 deaths over a few weeks; such trauma is believed to impact the entire community. In Site B, interviewees believed that many youth show anger and rage at their prior experiences with abuse and/or parental abandonment.

In addition, interviewees observed that Native Americans often suffer from historical trauma, which refers to the transgenerational transmission of trauma from past assaults on their lives,
such as massacres, forced relocation, pandemics from the introduction of new diseases. Stakeholders from two sites mentioned, in particular, the trauma that now-adults experienced when they were taken from their homes and placed into boarding schools in the previous generation (Brave Heart and DeBruyn 1998). The loss of connection to the community adversely impacted their parenting skills, damaged their connection to the tribe, and resulted in lost cultural knowledge. While the importance of cultural programming and awareness has faced a resurgence according to stakeholders in some sites, the perceived loss of culture stemming from this period continues to impact the entire community.

**Family Instability**

As noted previously, gang affiliation on the reservation is often seen as generational, making family-based gang involvement a risk factor for youth. Families are believed to contribute to gang involvement in other ways, as well. Many interviewees from across sites spoke about family chaos or instability as contributing to the appeal of gang membership among tribal youth. They explained that parents are often not home or are unable to provide adequate supervision due to addiction, the need to work for long hours or far away, or just being unable to parent. Consequently, many youth in these communities are being raised by grandparents, who stakeholders believed may not have the ability or willingness to set and enforce rules. A stakeholder from Site C captured the sentiment of several interviewees, “We have a generation of grandparents raising grandkids, and the kids are telling the [grand]parents what to do, and [grand]parents are afraid to correct their [grand]children.”

When adults are not around, kids are taking care of each other, washing their own clothes, feeding themselves, and walking together. Without a stable adult presence in their lives, several stakeholders suggested that the need for acceptance and supervision among youth is amplified, allowing gangs to fill that role and, essentially, become a family for some young people. A law enforcement officer in Site A said, “Everyone wants to belong to a group. Family structure is so culturally important that kids seek it out in other forms.” A treatment provider in Site C described the difficulty of his work, “We don’t have resources to really address the family situation. It’s when they go home—back to that environment—that we lose the kids.” According to a criminal justice stakeholder in Site A, crime appeals to kids in part because the detention facility provides a safe place to live, where they receive three meals a day and schooling—things they do not always get at home.

**Poverty**

Poverty is seen as a major problem faced by young people in three of the four sites. All but one of the sites reside in rural/frontier areas where the nearest city is over an hour away. There are few opportunities for employment and other positive things to do; lack of money
can become an incentive to get involved in criminal activity. Stakeholders from several sites mentioned the problem of unemployment. One stakeholder commented that despite available jobs, the unemployment rate remains high. “We beg people to come work as janitors. No one will do the work.” The other issue is “brain drain.” When high school graduates leave for college, they are unlikely to return to communities that can offer few opportunities.

Interestingly, while poverty has been found to be a risk factor for gang involvement in the general gang literature, the most affluent of the four sites—Site B—was the only site with a confirmed, current gang problem. In that community, the relative affluence of youth was seen as an incentive for gangs to recruit. In the other three sites, poverty was primarily cited as a problem in and of itself, rather than as a risk factor for gang involvement in particular.

### School Attendance

Some stakeholders believed that school involvement could be a protective factor for at-risk youth, leading to better employment opportunities, structure that they may lack at home, and a place to be other than in the streets. However, stakeholders also reported that at-risk youth from these sites often do not have ties to school. In Site B, gang members frequently get expelled from multiple schools, according to the juvenile diversion program coordinator. In Site A, one of the school principals expressed that truancy is a big problem. Reportedly, students miss one-third to one-half of the school year starting as early as elementary school; and since there is no enforcement for truancy, this problem is difficult to address when parents are absent or uninvolved. Site A offers two alternative schools, which serve students with behavioral problems, those who may not perform well in a typical school environment, and those who need extra assistance when returning from suspension or expulsion. Site C also has an alternative education program. According to program staff, the school is designed to provide a smaller learning environment to promote building healthy relationships, enhance students’ sense of belonging and safety, and enable youth to form healthy identities.

### Lack of Prosocial Activities

Stakeholders from all sites noted the lack of prosocial activities to prevent boredom and serve as protective factors against juvenile delinquency. Some of the positive activities that do exist include after-school activities, such as school sports. In Site A, for example, sports used to be “pay to play,” limiting them to only kids with money, but that recently changed so that anyone can play. In Site C, the schools host a literacy night for families. Two of the sites had skate parks and one had a pool, which serve as an outlet for kids to play. (However, stakeholders also occasionally named skating as a “delinquent” behavior associated with
gangs.) At Site C, an interviewee noted that they have street dances and community activities at the rodeo grounds.

At one point, Boys and Girls Clubs existed at all the sites, but they had since ceased to operate in both Site A and Site C. The one in Site D was not functioning at the time of the site visit, but had recently changed management, and there was hope that activities would resume.

Site B was the only site to have a fully functioning Boys and Girls Club. There have facilities in two sites, one for each tribe on the reservation. Although they mostly serve Native American high-risk kids, programming is also extended to non-tribal kids. There are five core program areas: arts; character and leadership; healthy lifestyles; sports and fitness; and educational programs. Teenagers can also take classes on money management and participate in student government. Volunteer work is also a component of the program. While the Boys and Girls club does not provide cultural programming, they partner with the local museum, youth services, and other agencies to add cultural components. The program represented noted that it is a challenge to keep kids engaged as they get older. Despite the many active gangs identified by law enforcement officers at Site B—including the families of some of the program participants—the clubs report that they are generally able to avoid gang-related trouble, due in part to strict rules forbidding participants from identifying gang affiliation when they are at club activities. Program staff did mention a drive-by shooting that happened directly in front of one club location, but felt that participants knew not to bring gang activities inside. Project staff also reported that they were in contact with the tribal police, who would tell them if any club members were getting into trouble outside the club.

Prosocial activities were viewed by stakeholders as an important piece to prevention. Without such activities, stakeholders believed that kids often become bored and may become involved in delinquent behavior for entertainment—particularly in communities where there is little else to do. However, stakeholders also reported that youth programs across sites frequently end due to insufficient funding, or, in the case of Site B, where there are more programs, end as a result of competition among programs.

Summary: Youth Problems Other than Gangs

While gangs may or may not have been a current problem at all four sites, it was clear from the interviews that youth in these communities were perceived to face numerous other

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8 Defined by the program as those who receive free and reduced lunch.
challenges. The number of suicides in recent years was mentioned by several interviewees and impacted other tribal members, adding to the sense of despair on the reservation. Substance abuse was believed to impact the lives of many tribal youth, whether they are abusing alcohol and drugs themselves or have family members who use. Stakeholders reported high rates of substance abuse, trauma, and absenteeism among tribal parents and maintained that one result was a lack of supervision of tribal youth. According to stakeholders, contributing to the grim situation are poverty and lack of opportunities in many of these areas. Given the many challenges facing youth in these sites, some stakeholders worried that gangs may hold appeal as something positive—a community and support network that many tribal youth lack. However, the more common sentiment expressed by stakeholders was that, with so many serious problems facing the young people in their communities, worries about gangs necessarily took a back seat to more pressing concerns.
Chapter 5
Discussion

Summary of Findings

Despite seeking sites that were reported to have gang problems, interview results in the four sites were equivocal. Overall, the four sites fell into three categories:

1. **Undisputed and Ongoing Gang Problem** (n=1): In one site, stakeholders nearly universally agreed that gangs were a considerable community problem.\(^9\)

2. **Previous Gang Problem that has been Resolved** (n=1): Stakeholders in one site predominantly reported that, while gangs were a problem on the reservation in the recent past, community responses (or other developments) have been largely successful in curtailing gang activity.

3. **Disputed Gang Problem** (n=2): Stakeholders in two sites provided mixed accounts of the prevalence of gang activity. The lack of consensus and the evidence provided by stakeholders left the research team to conclude that gangs were likely not a major problem in these sites.

One purpose of the current study was to document the current scope and nature of gang involvement among tribal youth. Our Phase One findings, indeed, suggest that prior research, primarily conducted in the late 1990s and early 2000s, does not present an accurate picture of today’s tribal youth in these four communities. While other risk factors commonly linked to gang involvement (e.g., disenfranchised youth, poverty, erosion of family structure, lack of opportunity, substance abuse) were mentioned regularly during stakeholder interviews, gang activity was less universally held to be a problem facing tribal youth.

The most recent survey of gang activity among tribal communities (undertaken by NDIC in 2011) relied on strict selection criteria for inclusion in their sample (see Chapter 1) and found

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\(^9\) The only dissenting opinion came from a community service provider who did not believe that gangs were a real problem. That individual believed that tribal youth “played at” gang membership without real affiliation; however, the interviewee also acknowledged limited hands-on interaction with tribal youth. The other 18 interviewees in the site maintained that the tribe had a gang problem.
that 80% of tribes reported gang activity. All but one of the communities (Site C) in the current study would have met the inclusion criteria for the NDIC study. That we did not find comparable rates of gang activity is not surprising, given our small sample size. However, it does place some limitations on a study designed to describe tribal gang activity.

In other ways, our findings mirrored those of previous studies looking at tribal gang activity. First and foremost, youth in the four study sites face an array of challenges—from poverty and lack of opportunity to substance abuse and trauma (both community and individual). In all but one site, the strongest case that some stakeholders made for gang activity on the reservation were visual cues used by members to signify gang affiliation. For instance, kids in schools were forbidden from displaying any gang colors and that was felt to eliminate the gang problem in schools. Tagging, color displays, tattoos, and clothing were cited as markers of gang activity on the reservation—sometimes in the absence of other indicators. Regardless of whether these are true markers of gang activity, the prevalence of such visibility may offer support for Hailer and Hart’s (1999) claim that tribal gangs are less hidden and more willing to prominently display membership and operate in the open than non-tribal gangs.

Also as in previous literature (e.g., Hailer 2008; Hailer and Hart 1999; Joseph and Taylor 2003; Major et. al 2004), we heard few incidents of violence among tribal gang members; indeed, the few violent incidents that were mentioned by stakeholders were noteworthy in part because of the rarity of such events. Instead, gang members, where they were present, appeared to be more criminal generalists. As in previous studies (Grant and Feimer 2007; Theriot and Parker 2007; Tobin 2008), stakeholders at Site B reported little hierarchy and formalized structure in the gangs present at that site.

One finding that stood out, given other research indicating less financial motivation behind tribal gangs (Hailer and Hart 1999; Joseph and Taylor 2003) was the specific case of the per capita payments in Site B, which were held by stakeholders to motivate a variety of negative behaviors among tribal youth and as a motivator for gangs to recruit young members soon to come into their regular payments.

**Study Limitations**

Chapter 1 details many of the methodological challenges and resulting study limitations. Chief among these are the following: First, we were not able to incorporate feedback from gang-involved and at-risk youth as originally intended. Youth feedback regarding the impetus for becoming gang-involved, the role the gang plays in their lives, and other factors
relating to their gang involvement would certainly have enhanced the findings presented here. Second, with only four final sites (and only some of them with a current or definite historic gang problem), we are limited in terms of what we can infer beyond these sites. However, while it is unfortunate that our sample was so reduced, it is also true that some of this inability to make generalizations is part of the nature of such a qualitative and exploratory study. The depth of information gained by sitting down and speaking with stakeholders gives us a very different type of understanding than the greater breadth provided by something like a national or broad-reaching survey.

One potential study limitation is the challenge of outsiders entering a community and asking members to talk about issues that can be seen as sensitive and potentially stigmatizing for the community. Asking tribal stakeholders to discuss problematic and even illegal activities among their own members with non-native researchers was essentially asking stakeholders to air the tribe’s dirty laundry. While we experienced the stakeholders who spoke with us to be forthcoming and candid, we also appreciate that this may have created challenges for the tribes. In speaking to a wide array of stakeholders at each site, we attempted to correct for any reluctance to discuss actual gang activity among some stakeholders. In two sites, the conflicting accounts of various stakeholders potentially reflect that some stakeholders were more upfront than others; it could just as possibly reflect true disagreement about the prevalence of gang activity at those sites.

Finally, although we started the project with the federal definition of youth gangs in mind, it was not always clear that stakeholders agreed with or referred to that definition during interviews, possibly inflating stakeholder estimations of gang activity.

**Recommendations**

Given the challenges and findings of the current study, we have developed the following recommendations. Recommendations fall into two categories: Those related to addressing tribal youth gang activity (and other youth risk behaviors) and those related to a promoting a future tribal research agenda.

1. **Focus resources on general prevention and intervention efforts.** If the findings here are indicative, there may be less need for gang-specific programming and more need for evidence-based programming to address the more general risks facing tribal youth. In particular, prevention and intervention programs for trauma, substance abuse, suicidality and depression are indicated by our findings. Intervention programming addressing issues of poverty, education, and employment opportunity are also critical.
Repeatedly, we heard that specific youth programs had previously existed in the study sites, but had since been defunded. In particular, the G.R.E.A.T. program and Boys and Girls Clubs were mentioned as having lapsed due to budget constraints across sites. It seemed that several of the sites would have benefited from technical assistance to identify and secure ongoing funding for youth programming.

2. **Design projects to be responsive to unanticipated results.** Particularly in research that is exploratory in nature, unanticipated null findings are always a possibility. By dividing the project into two phases, we hoped to inform the Phase Two research design to respond to the realities encountered on the ground. Ultimately, the funders deemed the Phase One findings, and the methodological modifications they would have required, diverged too dramatically from the anticipated results to justify continued study. Researchers and funders should work together to assess the continued viability of projects in light of null findings, but keep in mind that such findings may well be of interest and even warrant further study.

3. **Engage tribal communities that expressly request research assistance.** Particularly in tribal communities, which have historically been exploited by outside researchers, establishing the relationships and building the trust needed to conduct productive research takes time. In practical terms, this means lengthier, more costly projects. However, there are likely tribal communities that are interested in bringing research to their community. By creating a process for tribal communities to request research assistance and coordinating it with research requests for proposals, agencies stand to benefit. By providing research applicants, for example, with a list of 10-20 tribes interested in exploring ways to address a perceived gang problem, the project planning and recruitment phase would have been dramatically abbreviated, project costs would have been reduced, and tribal communities ultimately participating would likely have become more invested in a local as well as a national research agenda.

4. **Document the human subject requirements for research at tribes.** If the Department of Justice wishes to promote a tribal research agenda, a clearinghouse documenting tribal institutional review board requirements, contacts, and other human subject protection requirements is essential. The lack of such a centralized location for this type of information dramatically stalled the current project and resulted in a costly piecemeal process.
5. **Amend timeline expectations for tribal research.** The onus for this recommendation falls on both research applicants and the agencies that fund them. Even incorporating the two prior recommendations, communication with tribes frequently takes more time than communication with other populations. Repeated follow-up may be required, responses may be delayed, and eagerness on the part of the researchers may be construed as over-aggressiveness. Repeatedly, the research team on this project was reminded by our tribal expert collaborators that initial nonresponse should not be interpreted as unwillingness to participate in the study, but as evidence that timelines must be more fluid when working with tribal partners.
References

American Indian Quarterly 29(3-4):626-650.

Borowsky, I.W., M. Resnick, M. Ireland, and R.W. Blum. 1999. “Suicide Attempts Among 
American Indian and Alaska Native Youth Risk and Protective Factors.” Archives Pediatrics 
and Adolescent Medicine 153(6):573.

Historical Unresolved Grief.” American Indian and Alaska Native Mental Health Research, 
8(2):60–82.


Freng, A. 2014.’’American Indian Gangs.” In J.I. Ross (ed.) American Indians at Risk: 
Volume One. Santa Barbara, CA: ABC-CLO, LLC.

Simon, N. M. Ritter, and R. R. Mahendra (eds.), Changing Course: Preventing Gang 
Membership (pp. 89–104). Washington, DC: U.S. Department of Justice, U.S. Department of 
Health and Human Services.

and Dynamics.” Report submitted to Bureau of Justice Assistance, Office of Justice 
Programs, U.S. Department of Justice. Rapid City, SD: Community Corrections Institute.


Appendix A.
Stakeholder Telephone Interview Protocol

Date: _______________
CCI Interviewer: _______________

Name of Interviewee: ________________________________
Tribe: ___________________________________________
Agency: _________________________________________
Position/Role: ____________________________________

Introduction
Thank you for taking the time to talk with me today. My name is _________________ and I am a researcher with the Center for Court Innovation (CCI), a non-profit agency that has been working with tribes across the country for several years. Today’s interview is part of a national project, funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), to learn more about the issues facing youth in tribal communities, and the ways in which tribal communities are trying to address those issues. In particular, OJJDP is interested in learning about the frequency and nature of youth gang activity in tribal communities. The purpose of this telephone interview is to identify people in your community who come into contact with at-risk and gang-involved youth. The interview will begin with some general questions about the work you are doing in your community. Then I would like to ask you about other agencies or people who may work in this area and have contact with at-risk youth. This phone conversation will help us identify a broad range of people in your community and will help us shape the next step of our research: an in-person site visit where we will try to meet with as many community members as possible to get a deeper understanding of the specific issues facing youth in your community and the kinds of strategies that your community has developed (or would like to develop) to address these issues.

This interview is completely confidential and voluntary. Your name will not appear in any published report, although we may name your agency as having participated in the research. With your permission, we may also mention that you referred us to additional stakeholders in your community. The information you share will help us to ensure that we reach a diverse array of people in your community. The results of our research will help researchers, practitioners, and policymakers understand the issues facing tribal communities as they try to address youth gang involvement and gang activity. Moreover, we hope that the results of our research will help your community to showcase promising practices, identify areas for additional outreach, and support requests for future funding for programming and outreach. The phone interview will last about 20 minutes.
Before we get started, I want to clarify the group of young people we are asking about today: We are primarily interested in tribal youth who reside on tribal lands and non-residents who commit crimes on tribal lands. However, if you know about criminal/gang activity that occurs off of the reservation, but involves tribal youth, that is also relevant to this project.

To begin, I would like to ask you to identify any people in your community that I should be sure to talk to about youth gang involvement.

Name: ___________________________________
Contact Info: ____________________________
Name: ___________________________________
Contact Info: ____________________________
Name: ___________________________________
Contact Info: ____________________________
Name: ___________________________________
Contact Info: ____________________________
Name: ___________________________________
Contact Info: ____________________________

Is there a key player in your community who knows everyone working on this topic?
Name: ___________________________________
Contact Info: ____________________________

May I refer to you by name or position when I contact these individuals?

Overview of Respondent Role & Mission of Organization (if applicable):
First, I’d like to ask you a little about your organization/agency and your role in it:

1) What is the primary role of your organization/agency in the community? Do you come into contact/work with gang-involved youth?
2) What is your role in your organization/coalition/agency?

General Youth Services and Needs in the Community:
3) What are some of the most common issues facing youth in your community today? Do you think that gangs are an issue in your community?
4) Tell me about the programs that are available in the community for tribal youth.
5) What do you think are the most significant gaps in addressing the needs of tribal youth in your community?

Existing Resources to Combat Youth Gang Involvement & Activity:
6) To your knowledge, has your agency developed any programs to address youth gang activity? For instance, prevention programs targeting at-risk youth; interventions for gang-involved youth; suppression of gang activities—e.g., through targeted arrest and prosecution; or reentry programs for formerly gang-involved youth?
7) Have other agencies or members of the community developed programs to address youth gang activity? For instance, prevention programs targeting at-risk youth; interventions for gang-involved youth; suppression of gang activities—e.g., through targeted arrest and prosecution; or reentry programs for formerly gang-involved youth?
a. If yes, who/what agency has implemented these strategies?

Examples:

Prevention strategies: Programs to raise awareness about youth gang activity or services targeting at-risk youth through school-based or after-school activities.

Intervention strategies: Outreach and services for youth and families who are at-risk or gang-involved to help youth make more positive choices?

Suppression strategies: Arresting, prosecuting, and removing dangerous and influential gang members from the community.

Reentry strategies: Supervising and reintegrating youth gang members returning from detention or prison facilities.

Thank you so much for your time.
The Center for Court Innovation, an agency in New York that works with tribes and state court systems on justice issues, is conducting a national study, funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), to learn more about youth gangs in Indian Country. The first phase of this project involves interviews with Tribal members, like yourself, who have direct knowledge of youth and gang issues in your community. We have asked to meet with you today to talk about the nature and extent of gang activity among young people in your community and to hear about your experiences working with gang-involved and at-risk youth. By agreeing to talk to us today, you will help researchers, practitioners, and policymakers understand the issues facing service providers and criminal justice agencies as they try to address youth gang activity.

I’ll begin the interview by asking you some general questions about the agency you work for, and then I’ll go into specifics about your agency’s experiences in trying to work with gang-involved young people. The interview will last about one hour.

If you agree to speak with us, we promise you that everything you tell us will remain confidential. We will take notes on what you tell us and may include general themes and quotes in our report, but only those in this room will have access to those notes.

If you have any questions about the study, or wish to receive a summary of the study when it is completed, you can contact Amanda Cissner, Principal Investigator, at the Center for Court Innovation at (607)342-5272 or via email at cissnera@courtinnovation.org.
Defining Gangs
Before we get started, I want to clarify what we are talking about when we say “gangs.” What we generally mean are groups with the following components:
- The group has three or more members, generally aged 12-24.
- Members share an identity, typically linked to a name, and often other symbols.
- Members view themselves as a gang, and they are recognized by others as a gang.
- The group has some permanence and a degree of organization.
- May also be referred to as “crews” or “teams.”

Agency/Department Overview
1. Tell me a little about yourself – how long have you been with the [agency]? What is your specific role within [the agency]?

2. How many individuals work in [the agency]? How is [the agency] structured? [Probe for specialized units, divisions, etc.] Is there anyone in your agency in particular who works on juvenile justice or gang issues?

3. In general, what kind of services does your organization provide? [Probe about culturally specifics services.]

   a. About how many clients/cases does your organization serve/see each year?

Prevalence and Nature of Youth Gang Problem
4. In your opinion, is gang involvement among young people (24 and under) prevalent in your community? [Probe: What is “prevalent”? Do you view gang involvement as a problem? How is it a problem?] Please describe the problem in your community as you understand it.

   a. What do the gangs do? What activities are they involved in?
   b. What functions do they serve for the youth?
   c. In what ways, from your perspective, is gang involvement productive for the youth?
   d. In what ways, from your perspective, is gang involvement a problem for the youth/community?
   e. Are there general characteristics common among gang involved youth? (e.g., age, sex)
   f. Has gang involvement among young people in your community become more or less prevalent in recent years?
   g. If it is more prevalent, what prompted these changes?
   h. How many youth gangs are active in your community? What are the names of these gangs? How are these gangs structured (e.g., number of members, mixed-ages/sexes, hierarchy)? What distinguishes each of these gangs (e.g., are they known for attracting youth with specific characteristics, do they congregate in different areas, do they engage in different types of activity)?
   i. Do any of the gangs utilize native language, symbols or attempt to use customary or traditional practices as part of their gang initiation or in any other way?
   j. Does the Tribe have societies or groups of persons who are responsible traditionally for certain activities within the Tribe and if so do the gangs in the community ever try to emulate these societies?
5. What types of gang activity (e.g., wearing gang colors, online presence, visible gang-related signs/tags, graffiti, loitering, violence, drugs) are most prevalent? How do you know that (i.e., do you have relevant data)? Are all gang members involved in criminal activity? If not, what distinguishes those who are involved in illegal activity? What other types of activities are youth gang members involved in?

   a. Approximately what percentage of gang-involved youth are involved in the justice system?

6. What draws young people to gang activity? Why might young people in your community want to join a gang? (e.g., social ties/connections, protection from bullying/violence) How are kids recruited into gangs?

   a. Are there specific factors that place kids at risk of getting involved with a gang? (e.g., absent parents, residing off-reservation at some point, parents/guardian involved in gangs, parents/guardians w/history of incarceration or boarding school attendance)
   b. Are there specific protective factors that keep kids from getting involved in gangs?
   c. To your knowledge, do kids ever leave or quit gangs? If so, how? What enables some kids to leave/quit? Are there barriers that might prevent some kids from leaving a gang?

7. Are youth gang members primarily involved in on-reservation gang activity or are they also involved in off-reservation activities? Is there overlap or interaction between Native and non-Native gangs?

8. Is youth gang activity related to adult gang activity in your community? How so? Are juveniles and adults involved in the same gangs?

9. Are there multiple or competing views about the local youth gang problem across stakeholders?

10. In general, what would you say are the most pressing needs of young people involved in gangs? [What kinds of services/needs might bring kids out of gangs, to the extent that this outcome is desired?]

**Existing Resources and Assets**

11. What prevention efforts/programs are available to help prevent youth gang activity? Where are they located? Who/what agency developed them? What is missing in terms of preventing youth gang activity?

12. What intervention strategies are available for gang-involved youth? How are young people referred to services? By what agencies? To what agencies? At what point? What services are missing in terms of providing intervention services?

13. What is the law enforcement/justice system response to gang involvement among young people? Are there specific programs aimed at suppressing youth gang activity?
a. Are gang members being arrested and/or prosecuted?
b. Are gang members being referred to State/Federal law enforcement?
c. Are there specific Tribal laws or ordinances around gang involvement?

14. Are there specific services/programs available to gang-involved youth returning to the community following placement/incarceration? How are young people referred to services? By what agencies? To what agencies? At what point?

15. Are there any public awareness campaigns going on in your community about youth gang activity or about available resources? If yes, who sponsored the campaign? How long has it been going on? What does the campaign look like?

16. Do any of the prevention/intervention/suppression/re-entry strategies draw on traditional Tribal ways of knowing/doing? (E.g., use of traditional languages, Peacemaking)

17. What are some of the community’s gaps and deficiencies for addressing the needs of gang-involved (and at-risk) youth?

18. What are some of the barriers and obstacles in working to address youth gang involvement?

19. What are some of the community’s biggest successes in addressing youth gang involvement?

**Current Agency’s Role & Activities Regarding Gang-Involved Youth**

20. What is your/your agency’s role in dealing with youth gang activity?

21. What programs or services does your agency offer regarding youth gang activity? What population do you serve? How many do you serve per year? How many are gang-involved? Are most of the gang-involved youth you see referred to you? If so, from where? Which agencies do you refer to?

22. Does your agency provide training specifically related to gangs/gang activity? Have you received such training?

23. How does your agency identify gang members? How do gang-involved youth first come into contact with your agency?

   a. Does your agency receive tips/referrals from other agencies?
   b. *Police*: Are gang-involved youth arrested, taken into custody, questioned?

**Evaluability Assessment**

*Note to researcher/site visit staff: These questions are designed to gauge the plausibility of the Phase II RDS evaluation in each site.*
24. Are there specific locations where youth involved in gang activity meet/congregate? Where?

25. Do young people from different parts of the reservation know each other/come into regular contact? If so, how? (e.g., school, family) How far apart are the furthest populations that still live on the reservation?

26. If applicable, do gang-involved youth from distant/remote parts of the reservation know each other? Do they interact? If they do, how do they communicate?

27. How do young people primarily get around the reservation? Do they walk? Drive? How far are young people typically traveling on a daily basis? E.g., what is a typical commute to school or social activities? How frequently might young people make such a trip?

**History of Collaboration**

28. Does your agency have a current relationship with federal, state, or other local agencies working on youth gang involvement? Has your agency had such a relationship in the past?

29. Have you or your agency taken part in coalitions or collaborative efforts in the past to address youth gang involvement?

   a. If so, what was that collaborative and who was involved?
   b. Is a specific agency/individual in charge?
   c. How often do you meet and who runs meetings?
   d. When was it started? When did it end?
   e. If it has ended, why did it end?
   f. What did the collaborative work on?
   g. What challenges did it face?

30. Do you believe that a specific initiative to address youth gang involvement is needed in your community? If so why? What kind of initiative would be useful? To you, is youth gang activity a priority? (Or are there other systems that should be a higher priority?)

31. Are there local researchers that your agency has worked with? Who are the research partners? How have you collaborated with researchers/what types of project(s) have you worked on? Would you work with these research partners again? Why/why not?

**Data Systems**

32. What data does your agency collect? How is data stored/organized/colllected (e.g., automated database, paper files, etc.) Are you able to use the system to create statistical reports? Are you able to share data or reports with external organizations?

33. Do you track information specifically about gang-involved youth? For instance, age, demographics, involvement in criminal justice and/or child welfare systems, etc.?

34. What other types of information are tracked? For example:
   - Local law enforcement agencies have data on (e.g.) the number and nature of reported
gang-related activities, number of arrests;
- Local criminal justice agencies have data on (e.g.) number of court cases, final dispositions/sentences in gang-related cases;
- Departments of education have data on (e.g.) incidents of school violence, truancy, etc.; numbers of students receiving gang-prevention programming;
- Service providers who work with gang-involved/at-risk youth have data on number of young people served.

35. Do representatives from each agency know of data systems used elsewhere?

36. What kinds of interagency information sharing protocols exist, either regarding specific individuals/cases or aggregate numbers and patterns?

**Closing**

Thank you for your time! As we wrap up our conversation, I’d just like to ask you if there are any other issues related to youth gang involvement in your community that we haven’t discussed.

I’d also like to ask you if there is anyone specific in the community that we should be sure to try to speak to about this issue.

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