

PRISON GANGS IN THE COMMUNITY:
A BRIEFING DOCUMENT FOR THE BOARD OF CORRECTIONS

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Brian Kahn

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A Briefing Document for the Board of Corrections

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PREFACE

In October, 1977, the Chairman of the Board of Corrections, Secretary Mario Obledo, requested that I coordinate an investigation into the scope and nature of prison gangs. The Secretary pointed to the need for compilation of objective information regarding the gangs, and stressed that I would have complete independence to determine the scope of the report, the research approach and the selection and direction of the investigative staff. Based on these ground rules, I accepted the undertaking. The report, therefore, reflects the research and conclusions of myself and staff.

The fact that prison gangs have been the subject of intense discussion in political and media circles presented a serious obstacle in conducting the investigation. Key personnel in state and local agencies initially regarded the research effort with skepticism. The fact that this attitude was largely overcome and needed information obtained is attributable to the integrity and tenacity of staff.

The report documents the existence of prison gangs and gang-controlled criminal activity in the community. As noted in the report, its content is derived from a variety of sources ranging from courtroom testimony and grand jury reports to intelligence data and personal interviews with former gang members. While the reliability of some of the data is open to question, in my opinion the cumulative weight of the evidence is conclusive.

While this report appears to be the most complete currently available on prison gang activities, its scope remains limited. Detailed research into the economic, social and cultural influences on gang evolution, and analysis of law enforcement, corrections, and community-oriented prevention strategies were beyond the primary focus of this study. However, the report contains sufficient data in these areas to strongly suggest that successful gang abatement strategies will require a coordinated effort between the economic, social action and criminal justice sectors in the state.

The stakes are high. Rising crime clearly threatens basic public safety and destroys the lives of criminals and victims alike. Crime poses an equal, if less visible, threat to democratic freedoms. As public fear and frustration rise, so does public willingness to curb the liberties guaranteed by the Bill of Rights.

The fact that the phenomenon of prison gangs, like the overall phenomenon of crime, has no easy solutions does not reduce the necessity to face the issue squarely. On the contrary, the more complex and difficult the problem, the greater is the urgency to confront it.

BRIAN KAHN, Supervisor
County of Sonoma
Member, Board of Corrections

FOREWORD

In October 1977, the Secretary of the Health and Welfare Agency, Mario Obledo, announced in a press conference that he was requesting a study be done on prison gang activities, particularly as they might relate to criminal behavior in the community. At that time, Mr. Obledo voiced concern over the activities of the Mexican Mafia, the Nuestra Familia, the Aryan Brotherhood, and the Black Guerilla Family. Brian Kahn, a member of the Board of Corrections and a supervisor from Sonoma County, was requested to coordinate the study. The Board of Corrections is authorized to study various aspects of crime under Section 6027 of the California Penal Code.

A delay was experienced in the implementation of the study until staff could be obtained from within the Board of Corrections. Actual work on the project began in March 1978. At the time of the announced study, an in-depth review of gang-related activities was contemplated. However, in the interim between announcement of the project and the beginning of actual work, Board of Corrections staff reviewed the project and made a number of suggested changes regarding the scope and nature of the proposed study. The suggested modifications were reviewed and approved.

Prior to the study, much had been written on the issue of prison gang activity by an interested and wide-ranging media as well as various investigative agencies. An initial decision was to prepare a concise summary from this widely scattered material.

A second decision was to limit the scope and depth of the study to areas which could be made public. As with all similar inquiries, an effort to define and discuss criminal behavior would require that law enforcement intelligence agencies be contacted for information. From past experience, intelligence information has been found to be very sensitive; too broad a disclosure through public documentation could jeopardize the investigation and prosecution of criminal cases. Much intelligence information is derived from confidential informants whose lives may be jeopardized if sensitive information is handled indiscreetly. As an agency within the umbrella of the criminal justice system, staff felt a keen responsibility to protect not only the information but the work and people behind it. For this reason it was decided to deal with information that was scattered in the public domain or which could be made public without risk to the criminal justice system.

With the scope of the study thus limited, there was no need for a major expenditure of public funds. A comprehensive study that would serve as an aid to enforcement agencies should be done by those agencies.

This document is being submitted to the Board of Corrections for review. It provides the most complete description currently available regarding the nature and scope of prison gangs. It is believed that it will contribute to the public welfare through education of the public and will help to provide a base of support for the abatement of criminal gang activity.

INTRODUCTION

Part I of this report includes a brief sketch of the history of each of the gangs being studied.

Part II describes gang-originated criminal activity which has occurred in the community. Some detail will be given of the crimes committed in order that the reader may derive a better understanding of the manner in which gangs operate in the community. The types of crimes committed, in themselves, document the range of gang activity.

Part III includes a description of how gangs are impacting local jails and selected out-of-state prisons.

Part IV provides a discussion of several approaches being taken by the Department of Corrections and the Youth Authority in dealing with gangs. The Appendixes contain exhibits that further clarify the nature of the gangs and is worthy of the reader's review.

The study demonstrates that criminal behavior is not restricted to ethnic or cultural groups. Indeed, the major cultural and ethnic groups of the state are involved in organized and syndicated criminal enterprise. It has long been recognized by correctional workers that prisons reflect the attitudes and problems of "free society" and are not immune from the forces that shape the unimprisoned world.

This study does not suggest a single, easy answer in dealing with the gangs. While it is clear that the various gangs

are lethal in their activities and require a consistent effort at abatement through a coordinated effort by all enforcement and correctional groups, it seems equally evident that the roots of the gangs reach back into the community.

The California Youth Authority, in a paper describing a gang violence reduction project, reported 17 gang-related deaths in the unincorporated area of East Los Angeles in 1975, and 22 in 1976. Two gangs have reportedly been in conflict for 30 years. One gang, the White Fence gang, has existed for 50 years. Governmental agencies are aware that many of the prison gang members were youth gang members and have cited, for example, the importance of Maravilla gang members in the formation of the Mexican Mafia.

This document will show that the dangerousness of the groups cannot be underestimated. While some successes are being experienced in the apprehension and prosecution of gang members, enforcement pressure should be maintained to make our communities safer. However, it must be remembered that sending a gang member to prison is no ultimate solution. It merely transfers his lethality from the streets to a prison, and in all probability, he will eventually be released again.

It is apparent that another approach is needed that takes into account the problems of a community that breeds gang mentality. Street gangs can be found in many American cities. While it is doubtful that they can be totally eliminated, perhaps their activities and function can be altered to make them less dangerous.

Staff has reviewed the design of one effort: an East Los Angeles project of the Youth Authority to abate gang violence through community organization and involvement of youth gang members in positive activities. The project attempts, through the use of an umbrella neighborhood agency, to increase inter-neighborhood communications and activity, reduce boredom and antisocial behavior through the introduction of positive experience and involvement. Success of such a program also requires the existence of a range of social programs in an area that can support this effort. The concept seems useful and it is hoped that the project can demonstrate success.

Staff does not subscribe to the position that prisons cause prison gangs, as has been suggested. It is true, however, that the prison experience has been the catalyst or the common denominator in the formation of the specific gangs under study. It must be recognized that lockups are artificial settings that do not resemble the outside world. The rules by which people live are different and there are pressures on inmates and staff so foreign to the layman's experience as to prevent an accurate picture being conveyed through words.

Prisons are dangerous places. It must be recognized that many prison facilities are structurally obsolete and staffing patterns insufficient to assure a desirable level of physical protection for inmates. It is no coincidence that one of the most frequently cited reasons for the initial formation of the prison gangs was for protection against physical assault. It

is our experience that a prison administration is able to provide only superficial control and that the inmate population has a great deal to say in how effective any controls can be. The inmate body is also quite adept at learning how the system can be utilized for its own ends. Current correctional thinking calls for increasing staff/inmate interaction in order to enlist cooperation in maintaining a safe facility. The widely recognized inmate code remains a significant barrier to achievement of this end. Nevertheless, a prison administrator must attempt to maintain good communications with inmates and to seize all opportunities to reduce conditions which force prisoners to affiliate with gangs.

Prison gangs, then, are not a single issue but a chain of interrelated problems and issues. Any successful effort at reducing gang activity will necessitate a variety of responses and will most certainly require cooperation and coordination by many levels of government.

CHAPTER I

BRIEF HISTORY OF PRISON GANGS AND THEIR FORMATION

Organized crime is not a new phenomenon but the players in this study and their origins are new. The purpose of organization is the same; it involves an association by criminal elements for purposes of committing crimes for profit. The scope of their activities centers around control of narcotics and dangerous drug traffic, extortion, protection rackets and homicide, and in one instance, the promotion of revolution.

The law enforcement and intelligence community estimates that 150 men and women have died in prisons and the streets of California in the three years beginning January 1, 1975, as the result of prison gang activity. The participants in the killings include the groups known as the Aryan Brotherhood, the Black Guerilla Family, La Nuestra Familia, and the Mexican Mafia. Before discussing the nature and activities of these groups, it is necessary for the reader to understand the characteristics of the information upon which this report is based.

Data Limitations

Law enforcement groups concerned with the identification of crimes as being gang-related, fully recognize that their data has limitations. The job of describing gangs would be a simple one if all the data had been provided by persons uninvolved in criminal activity, under oath, and with independent

corroboration. In reality, information is accepted from a variety of sources and may not be totally reliable. Agencies need and frequently receive information from informants. This information may be accurate or it may be incomplete, fragmented, or distorted. Written and photographic evidence may be seized that aid officials in learning about the membership of an organization. For example, numerous contraband prison photographs have been confiscated in searches that show a number of people gathered around a banner that reads "Nuestra Familia." Some members may have tattoos that indicate membership. Many individuals deny membership but only associate with a certain gang. This is not the kind of clean, conclusive evidence that is preferred, but it is the nature of that which is available. Fortunately, corroborative information has been supplied by individuals who have admitted their affiliation to family members or law enforcement personnel. Many of them have provided significant insights into the nature of the gangs.

The constitution of La Nuestra Familia prohibits members from admitting that there is such an organization. Similar policies, although unwritten, exist with the other groups. Law enforcement officers recognize that there is room for misidentification and that they must be willing to re-evaluate their information.

The terms in common usage when describing gang members are "suspected" or "alleged." These qualifiers reflect the

uncertainty of the data. It also serves to provide a measure of protection for the agency involved. An agency investigator may be called to testify in court and questioned on the source of his information. It is a common strategy to use discovery motions and close questioning of law enforcement witnesses in an attempt to discover informants' names. Misidentification could also serve as a basis for a defamation suit.

Interestingly, there are limitations as to what data can be entered into computers for potential law enforcement use. Through the Federal Freedom of Information Act (FOIA, P.L. 93-502, 5 U.S.C. Sec. 552) data in the computers may become available to suspects by an application to the government. (See Appendix A for a further discussion on this issue.¹)

Wherever possible, this report has used sworn courtroom testimony. There are, however, instances where the information relied upon has not been of this standard. In these other instances, the circumstances surrounding the crimes committed provide strong evidence in support of staff's conclusions.

Aryan Brotherhood (AB)

The Aryan Brotherhood is believed to have been formed in the late 1960's in San Quentin and Folsom. The gang seems to have its roots in an earlier group known as the "Bluebirds." Its function was to provide a measure of safety for white inmates against assaults and to promote white racism within the prisons.² While some members come from the ranks of outlaw motorcycle clubs, it would not be correct to identify all outlaw bikers as members of the Aryan Brotherhood. Its goals include narcotics distribution and other criminal endeavors.³ A strong anti-authority theme is commonly demonstrated by the membership.

1976 estimates of membership and sympathizer strength run between 275 and 500.⁴ It has been loosely associated with the Mexican Mafia in a variety of illegal activities such as narcotics distribution, bank robberies, and homicides. An early example of this alliance is evidence accepted by the California Senate Subcommittee on Civil Disorder in 1973. It detailed the killing of a Nuestra Familia member named Castillo (no first name given) who was wanted killed by the Mexican Mafia. The contract was filled by two Aryan Brotherhood members approximately one hour after the victim was transferred to the California Institution for Men.

The structure of the Aryan Brotherhood does not follow paramilitary lines. Leadership is granted to persons with

strength and criminal ability. Gang status is achieved by election of the membership. The Aryan Brotherhood seems most active in the penal institutions rather than in the community. As will be shown, however, they do operate in the streets.

While no constitution has been attributed to the Aryan Brotherhood, the following creed is alleged to have been written for the group and was reported in the 1975 report to the Senate by the Senate Subcommittee on Civil Disorder.⁵

Creed of the Aryan Brotherhood

"An Aryan brother is without a care,
He walks where the weak and heartless
won't dare,
And if by chance he should stumble
and lose control,
His brothers will be there, to help
reach his goal,
For a worthy brother, no need is too
great,
He need not but ask, fulfillment's
his fate.

"For an Aryan brother, death holds no
fear,
Vengeance will be his, through his
brothers still here,
For the brotherhood means just what
it implies,
A brother's a brother, till that
brother dies,
And if he is loyal, and never lost
faith,
In each brother's heart, will always be
a place.

"So a brother am I and always will be,
Even after my life is taken from me,
I'll lie down content, knowing I
stood,
Head held high, walking proud in the
brotherhood."

Black Guerilla Family (BGF)

Government sources have identified the Black Guerilla Family as having been formed in the late 1960's and early 1970's. It is viewed as being the prison counterpart of the Black Liberation Army, found in the community.⁶ State investigators have described the original goals as including cultural unity, group protection and the promotion of armed revolution.⁷ In general, its members are Black, but ex-gang members from other groups report some non-Black membership. Prison activities have included traffic of drugs among Black inmates, revolutionary training, and attacks on white prisoners and prison guards.

The Black Guerilla Family is loosely allied with the Nuestra Familia in its conflict with the Mexican Mafia and its ally, the Aryan Brotherhood.⁸

The Senate Subcommittee on Civil Disorder, in its 1975 report to the Senate, reported its findings on the Black Guerilla Family. It reported the existence of a paramilitary structure to guide the organization's activity,

"Each prison has an organization which is directed by Holliday through a central committee and five generals. Assignments are carried out by lieutenants and soldiers for their unit captain."⁹

"In addition to the regular group discussions on Marxist political theory, recruitment programs include training in physical combat and the ideological dogma which is intended to convince the new member to commit himself by a death oath to the Family:

'IF EVER I SHOULD BREAK MY STRIDE,
OR FALTER AT MY COMRADE'S SIDE,
THIS OATH WILL KILL ME!

'IF EVER MY WORD SHOULD BE UNTRUE,
SHOULD I BE SLOW TO MAKE A STAND,
OR SHOW FEAR BEFORE THE HANGMAN,
THIS OATH WILL KILL ME!

'SHOULD I MISUSE THE PEOPLE'S TRUST,
SHOULD I SUBMIT EVER TO GREED OR LUST,
THIS OATH WILL KILL ME!

'SHOULD I GROW LAX IN DISCIPLINE
IN TIME OF STRIFE, REFUSE MY HAND,
THIS OATH WILL SURELY KILL ME!!!!'10

La Nuestra Familia (N.F.)

La Nuestra Familia originated in California prisons as a defensive reaction to activities of the Mexican Mafia. Some sources indicate it started in Soledad in 1967; others, in San Quentin in 1968. There is essential agreement that it was formed to offer protection to Mexican-American inmates who are being pressured by the Mexican Mafia for such things as canteen items and homosexual acts.¹¹ Its members have tended to come from the rural areas and have often been referred to as "farmers" by the Mexican Mafia. Its rural heritage is no longer completely true as the organization does have members now from metropolitan areas. This group is in a state of open conflict with the Mexican Mafia.

The organization is cited as a "Blood in - Blood out" group and carries a lifetime obligation. Persons who fail to meet gang obligations may be marked for death. The present count of persons on Nuestra Familia "hit" lists stands at 230 according to state law enforcement officials. An oath, taken by new members, is as follows:

"If I go forward, follow me.
If I hesitate, push me.
If they kill me, avenge me.
If I am a traitor, kill me."

With the passage of time, the organization came to recognize the profitability of controlling narcotics in prison and set about to establish the necessary organization

and power base to provide the mechanism of control. The group has allied itself with the Black Guerilla Family.

La Nuestra Familia is unique among the groups in that it has committed to writing its organizational structure and bylaws, as well as a manual of operations. It requires that members be schooled in its structure and rules, and take written proficiency examinations. It also utilizes lengthy "hit" lists of enemies to be killed, including persons who have attempted to disassociate themselves from the gang, often called "hermits."

The Nuestra Familia's practice of written procedures has allowed law enforcement agencies to gather a significant body of information for analysis. It also documents the gang's existence and the scope of its activities.

Attached as Appendix B is its Constitution, entitled "Supreme Power Structure of La Nuestra Familia." There are a number of critical sections that deserve special note as they further link crime in the community to the gang:

"Article II: Revised by-laws and objectives
de la Nuestra Familia

"Section I: The primary purpose or goals will be for the betterment of its members and the building up of the organization on the outside into a strong and self supporting familia. (Emphasis added)

"Section II: All members will work solely for that objective and put all personal goals and feeling aside until said fulfillment is accomplished.

"Section III: A familiano will not be released from his obligations towards the organization because he is released from prison. But will be expected to work twice as hard to see that a familia is established and work in hand with the organization already established behind the wall's (prison)...

"Section IV: A familiano will remain a familiano member until death or otherwise discharged from the organization, he will always be subject to put the interest of the organization first and always above everything else in prison or out.

"Section V: An automatic "death" sentence will be put on a familiano that turns traitor, coward or deserter. Under no other circumstance will a brother familiano be responsible for spilling the blood of a brother familiano, to do so will be considered an act of treason."

The organizational structure of La Nuestra Familia is along paramilitary lines. The leader, or Nuestra General, commands some ten captains (not all positions may be filled) each ranked within that command group and in charge of a regiment. The captains' power and authority vary depending on whether or not the organization is "at war." The lieutenants are responsible for the acquisition of weapons, providing for indoctrination and maintenance of records, including "hit" lists. The soldiers occupy the bottom rung of the regimental hierarchy and are organized into squads depending on their reliability. There is provision for payment of squad members for such duties as drug dealing or pimping of women.

There is one final section under Article VI that deserves special comment.

"Section VII: As of now that standard answer for a familiano when he is asked by any county, state or Federal Authoritys if (he) is or if (there) is any organization known to exist in the pintas the answer is no." (sic)

From this section it can be seen that members are expected to deny the existence of the organization. This is intended to reduce negative public opinion and effect law enforcement response. This policy is consistent with that of the Mexican Mafia.

Appendix C, entitled "Subdivision of Constitution, Adaption for Street Use Only" provides the guidelines for gang activity in the community. This document establishes the organization in the community and sets forth the structure of the regiments, an organization chart in narrative form, a regimental bank, and describes the main bank of the gang. Special note is made of Article I, Section IV stating:

"Familia soldados at first will be expected to make sacrifices in so far as when he commits an illegal venture all the profits will go into the familia bank, this should be until the bank is strong enough to buy into it's first business. Once this is accomplished the soldados can either be paid on a commission basis or by pay scale, the discracion will be on the familia (1t), until step (3) is in effect."

Article I, Section V states that gang members will refrain from drug use and requires that no "personal venture" will be undertaken without authorization of a superior officer. Thus, all crime is gang originated or sanctioned.

A later section of this report deals with documentation of N.F. gang activity on the streets and concerns itself with the issue of drug use within the Stockton gang members.

The Mexican Mafia

Of the groups examined in this briefing document, the Mexican Mafia, or EME as it is called, is the oldest. Available data indicates that it was formed in 1957 in the California prison system at the Deuel Vocational Institution. In its early years, according to one law enforcement source, the members "were more or less hoodlum-type inmates who specialized in prison pastimes of hijacking canteen from other inmates, collection of loans, dealing in drugs within the institution."¹² Additionally, a measure of protection was afforded to the membership.¹³ (Note: Canteen refers to some personal and luxury items that may be purchased through a ducat system from the prison store.)

A significant, but little recognized, aspect of the EME is that many of the members came to prison with a tradition of gang membership from the streets. The barrios of East Los Angeles, particularly the Maravilla area, were a major contributor to the Mexican Mafia. These youth gang members came together in prison and created the Mexican Mafia.

A 1976 Attorney General's report covering gang activity, no longer confidential, reported that:

"After its initial growth in the prison systems, the Mexican Mafia began to conduct organized criminal activities outside of the institutions. This situation has seriously escalated in the last year.

"For example, in 1976 there have been eight killings in Los Angeles County alone attributed to the Mexican Mafia. Narcotics, assault, and parole violation arrests of Mexican Mafia members in Los Angeles County have numbered in the hundreds. Inside the institutions this group attempts to dominate such criminal activity as narcotics distribution, protection and gambling....."

Estimated membership is 150 to 200 hard-core members and some 1,000 associates and sympathizers.¹⁴

The Senate Subcommittee on Civil Disorder, chaired by Senator Dennis Carpenter, submitted a report to the Senate on March 31, 1975. A number of its findings are significant; selected quotations follow:

"The Mafia is interested in monetary gains derived from loan sharking and the protection rackets; however, its primary interest is to secure complete control of the narcotics traffic within the prisons and on the streets of Southern California.....¹⁵

"The Mafia's outside operations are predominantly narcotics, robbery and murder. Barrio residents and illegal immigrants are usually the victims of the drug dealers, who are at war with each other to take over territories. Part of the profits is believed to go into a central coffer which is used to support the international narcotics business, pay legal fees, and buy weapons.¹⁶

The report continues:

"Testimony from the hearings describes attempts the Mafia has made to infiltrate a number of community organizations and health groups with the aim of siphoning off federal and state funds to support the narcotics operations. Dan Vasquez, a special agent for the Department of Corrections, testified:

MR. VASQUEZ: 'The Mexican Mafia organization and its potential first came to our attention in 1971 when I was participating in a federally funded project that was assigned to a university. We had a parole unit attached to it and we were going to be looking at new ways, innovative ways of supervising alcoholic and drug recidivists and trying to get more mileage out of them in the community and hopefully making them agents of change through some college courses and organizing and setting them up in jobs, in self-help groups in the community.'

'The Mafia very effectively infiltrated our program and almost took it over.'

CHAIRMAN CARPENTER: 'The Mexican Mafia infiltrated your government rehabilitation or change program, and nearly took it over?'

MR. VASQUEZ: 'That's correct.'

CHAIRMAN CARPENTER: 'For what reason?'

MR. VASQUEZ: 'Well, for a variety of reasons. At that time the Mafia was experimenting in political ventures and this program--I believe, in analyzing it, that they felt it was a ready-made program. It had money available. It had contacts with community members and community organizations. It had political contacts to receive funding from the National Institute of Mental Health. So I think it was a very vital program that they saw as very lucrative.'

CHAIRMAN CARPENTER: 'At what point does it determine that this takeover was intended or involved?'

MR. VASQUEZ: 'You mean when did we find out it was happening?'

CHAIRMAN CARPENTER: 'Yes.'

MR. VASQUEZ: 'I think it took us about four months after the beginning of the program to notice that there was something going on. When we first started having contact with the Mafia members, we weren't aware that they were

an organized prison group. We looked at and interpreted their militancy as sort of prevailing. The attitude in that period was the social movement type of attitude. So that's what we thought they were kind of involved in.

'It soon became apparent that they were using that more or less "front" to further their activities, their self on to the communities, and a lot of your communities in particular.'

The report continues:

"Although La Eme first moved into the streets in 1967, it has been only in the last few years that efforts have been made to set up an international drug business. In addition to Harry Buckly's organization in Northern Mexico, the gang has an extensive contact chain in South America. Cocaine comes in from Peru, is received in Guadalajara, transported to Matzalan or Caliacon, and then taken to Magtalena for shipment to the United States.¹⁷

The Attorney General's report to the Legislature covering the year 1976 stated:

"The most significant increase in this gang's activity has been in its improved organization outside of the prisons. Among these improvements are: established new operational areas in the state, a more effective communications system, and emphasis on financially regarding crimes such as bank robbery and narcotics trafficking."¹⁸

Following the parameters of the study, a number of criminal cases were followed through the courts to obtain information that would validate previously reported gang activity. It is believed that the cases discussed in a following section

of this report are consistent with the goals and methods detailed by the Senate Subcommittee on Civil Disorder and the California Attorney General.

FOOTNOTES

¹"Organized Crime: Report of the Task Force on Organized Crime," National Advisory Committee on Criminal Justice Standards and Goals, 1976, pp. 67-70.

²"Report to the Senate: Senate Subcommittee on Civil Disorder," (Senator Dennis Carpenter, Chairman), 1975, pp. 36-38.

³Ibid, pp. 36-38

⁴"Organized Crime in California, 1976, Annual Report to the California Legislature," Department of Justice, Organized Crime and Criminal Intelligence Branch, p. 26.

⁵"Report to the Senate: Senate Subcommittee on Civil Disorder," pp. 35-36

⁶"Report to the Senate: Senate Subcommittee on Civil Disorder," p. 41.

⁷"Organized Crime in California, 1976, Annual Report to the California Legislature," p.27

⁸Ibid, p. 27.

⁹Ibid, p. 41

¹⁰Ibid, p. 42

¹¹"Report to the Senate: Senate Subcommittee on Civil Disorder," p. 51.

¹²"Revolutionary Activities Directed Towards the Administration of Penal or Correctional Systems, Part 3," Hearings before the Committee on Internal Security, House of Representatives, July 24 and 25 (in part), 1973 (U.S.G.P.O., Stock #5270-02081) p. 1191.

¹³Ibid, p. 27

¹⁴"Interim Report of California Department of Justice Special Investigations Task Force," California Department of Justice, May 1978, p. 2.

¹⁵"Report to the Senate: Senate Subcommittee on Civil Disorder," p. 28.

¹⁶Ibid, p. 30.

¹⁷Ibid, pp. 33-34

¹⁸"Organized Crime in California, 1976, Annual Report to the California Legislature," p. 25.

CHAPTER II

GANG ACTIVITY IN CALIFORNIA CITIES

Developing information on organized criminal groups requires the analysis of a wide variety of sources, including intelligence data. While some of this data never appears in a court of law, an objective researcher must be willing to make logical deductions. For example, it often occurs that law enforcement is aware of the details of the commission of a crime but is unable to act upon that knowledge. Information from frightened persons who will not testify explains much but cannot be used in court.

In this report, staff focused on those facts that were public or could be made public. In some instances, even though witnesses gave information under oath in a public trial, local prosecutors asked that those names be withheld. Where this request was made, it was honored.

On visits to Monterey, Fresno, Kern, and Los Angeles Counties, we found substantial numbers of gang members in custody awaiting trial on major felony matters. On the basis of limited observation, it seems probable that the state prisons will experience an increase in the number of gang members being recommitted. It is possible that the state prisons will experience a corresponding increase in the number of gang problems within the walls.

Recruitment of Youth

There is strong evidence of recruiting of gang members among youthful populations both on the streets and in juvenile detention facilities.

In attempting to look at the issue of recruitment, staff reviewed a lengthy report entitled, Juvenile Gang Warfare, a November 1975 product of the Senate Select Committee on Children and Youth. Included in the appendixes are data which support the conclusion that young people become oriented toward gang activity while preteens, learn gang values while in the streets, and are ripe for recruitment when they are in the Youth Authority or state prison. One cautionary note is needed: much of the data was developed in the state population center, Los Angeles. Obviously, the problem is common to many American cities.

In 1975, Los Angeles City Councilman Arthur Snyder spoke of his juvenile gang experience and offered useful insights.

"My own conclusion from my own experience in it is that you simply are not going to eliminate the gangs. You can break up an existing gang; you can put the leaders of a gang in jail; but at the end of it, the gang will come back because the gang is the expression of a need in the community. It's not like

the Capone gang or something. It's a group of young people -- young men and now more and more young women -- gathered together for originally social purposes or in a -- in a defensive mechanism in which those individuals attempt to express their individuality and their frustration at society by joining together in a group in which they can share experiences."¹

In that same report, supporting observations were given by Miguel Duran, Program Chief, County of Los Angeles, Department of Community Services, Youth Services Division. He testified:

"In some areas of Los Angeles, a youngster doesn't seem to have an alternative but to belong to the gang in that neighborhood. He is born into it like his brothers and sisters before him and their parents before them...

"The barrios, the ghetto, demand their loyalty, and they give it. What else is there? Who gives a damn about you? Your parents and your teachers, the police, society--what the hell is that? Only my clique cares whether I live or die. When I'm with my homeboys, I am somebody (Appendix D, p. C-2)." (Emphasis added.)

(Refer to Appendix D and E for additional comments and perspectives by Mr. Duran and Charles Pineda, Jr., the latter a member of the staff of the California Youth Authority working in the East Los Angeles area.)

The evidence suggests that the prison gangs are spreading and are turning to street gangs as a source of new members. In the California Youth Authority, particularly at Preston and

at the YTS near Chino, there is evidence of affiliation with the gangs. A spokesman with the Youth Authority's Law Enforcement Communications Team reports finding copies of gang literature in Youth Authority institutions. Letters where the authors claim gang affiliation have also been found. Tex Martin Hernandez, later convicted of the first degree murder of Steven Revelez in the Ventura County Jail, maintained contact with an important member of La Nuestra Familia prior to his release from a Youth Authority facility. A confiscated note from a parolee in the Salinas area spoke to the use of youth in criminal behavior. In Fresno, a sixteen year old was used to carry out a gang hit and other youths seriously assaulted a witness. In Chino, a local group known as the Sinners has become closely associated with La Nuestra Familia and on an on ramp of the Pomona Freeway near Monterey Park is spray-can graffiti that reads "Chica EME" or little Mexican Mafia. These examples indicate the seriousness of a problem which requires further analysis and action.

Aryan Brotherhood

Research of the origins of the Aryan Brotherhood has indicated that it was racist in purpose. One important ex-gang member who discussed his perceptions of the group with staff indicated this was only partly true. He stated that while there were "out-and-out racists" who were in the group, many persons, including himself, used this as a "front." His reasons for joining were for the profits of illegal endeavor and to make himself as comfortable as possible while in custody. It was his belief that other gangs also operated using "fronts" and that they were power and money oriented.

Our inquiry did not demonstrate that crimes are being committed for the sake of the organization, with a portion of the proceeds going to a bank or other central funding source. Instead, there is an apparent close association and affiliation of persons who are members of the Aryan Brotherhood, Aryan Brotherhood sympathizers, and white supremacists. These individuals commit serious crimes on a major scale.

A representative of the Department of Corrections Special Services Unit indicates that there has been heavy Aryan Brotherhood activity in the south, particularly in

the Long Beach, Orange County, Paramount, Bellflower areas. He reports involvement in thirty-five arrests since January 1, 1978.^a The scope of involvement by the Aryan Brotherhood includes bank robberies, residential robberies where victims are assaulted, narcotics offenses, and possession of weapons and explosives, and very possibly, contract murder. The finding of quantities of weapons at the point of arrest is a remarkable characteristic with the Aryan Brotherhood. This same level of activity does not seem to be prevalent in the northern part of California due to a lack of members.

a. While there are members or sympathizers who are not parolees, many persons in the Aryan Brotherhood are under active supervision. One concern expressed by law enforcement was the possibility that gang members may be released on bail to commit further crimes. Under the Determinate Sentence Law, a parole hold preventing bail is limited to six months, the maximum period of time a parolee may be held as a parole violator when there is no new conviction and re-committment. When the six month period expires, the parole agent must remove the parole detainer and the person becomes eligible for bail. The concern being expressed is that through a series of deliberate maneuvers to avoid trial, the gang member will exhaust the six month time period, bail from custody and abscond. While it remains to be seen whether this concern will be realized, it is evident that delays are occurring through such techniques as requesting continuances or firing one's attorney. It is felt that there should be follow-up in this area to see if it requires remedy. Options that might be considered include a change in the time period for holding a parole violator, using a higher bail schedule for certain categories of offenders or offenses, or through a speedy trial policy as now exists with some major violator units in the District Attorney's offices.

The best known example of a bail skip at this time is "Champ" Reynoso, alleged member of the Mexican Mafia, who defaulted on \$100,000 bail prior to sentencing, following his conviction in Federal Court for bank robbery.

As with other gangs, there are many members in custody awaiting trial. There are also cases that have been adjudicated which demonstrate Aryan Brotherhood crimes and associations.

On November 25, 1977, David Owens and an associate robbed the Bank of America in Agoura of approximately \$9,000. Owens has admitted to law enforcement that he is a member of the Aryan Brotherhood. Photographs taken at the time of the robbery clearly showed Owens and the second suspect, Robert "New York" Crane. Owens was arrested on January 11, 1978, at which time \$3,844 was seized. He was found guilty by jury trial and on March 13, 1978, was sentenced to a federal prison for bank robbery and use of a dangerous weapon.

Owen's suspected crime partner, Crane, has not been adjudicated on this case. He is presently in custody in the Orange County Jail where he is being held for a number of robberies and a homicide. Crane is believed to be a powerful member of the Aryan Brotherhood whose jail visitors and street associations include a number of Aryan Brotherhood members and sympathizers. Authorities are also looking at a possible connection between Crane and the killing of another Aryan Brotherhood member, Kenneth "Hog Jaw" Cochran, in Orange County on December 2, 1977.

On October 18, 1977, at 10:30 p.m. on the campus of El Camino Community College, two campus security officers approached a van to investigate suspicious activity and an apparent difference in the license plates mounted on the vehicle. Joseph

"Little Joe" O'Rourke, a parolee, exited and held the officers at gun point. The officer turned O'Rourke's gun aside and after positioning himself behind a barrier, exchanged shots with O'Rourke who was wounded. On March 31, 1978, after a plea of guilty, O'Rourke was sentenced to seven years in state prison. His crime partner, an Aryan Brotherhood sympathizer, received a lesser sentence.

The interesting factor in this case was the recovery of a weapon equipped with a silencer. A weapon so equipped is not the usual weapon to be used in an open robbery. Its use is consistent with another use such as a homicide where silence is desired. No crime could be linked to the gun, but law enforcement officers remain concerned.

Aryan Brotherhood members have also committed crimes in association with their ally, the Mexican Mafia. (Refer to the section covering the Mexican Mafia street operations regarding a robbery of Lloyds Bank in Fresno where over \$100,000 was taken.)

There is ample intelligence data that is not within the scope of this document that points to continuous association by Aryan Brotherhood members on the streets. Our inquiry discovered no evidence of crimes being committed to underwrite the activities of the group where there was a central bank.

It is felt that Aryan Brotherhood membership, in effect, "guarantees" the reliability of another member in the carrying

out of a criminal enterprise in the community. Finally, it was the opinion of most law enforcement officials interviewed that there were "strong" men within a prison or community who organized and executed crimes but that there was no single, cohesive command structure for the Aryan Brotherhood.

Updating the 1976 estimate of membership reported in Chapter I, one state law enforcement administrator believes today's membership to range from 200 to 300. These figures include associates and sympathizers from renegade motorcycle clubs who share a common philosophy with the Aryan Brotherhood. This source also expressed the belief that the Aryan Brotherhood is "totally disorganized" at the present time and is without effective leadership. The large number of recent arrests in southern California reportedly account for this condition. This condition is not expected to be permanent as there are indications that a reorganizational effort is underway.

Black Guerilla Family

Of the four groups examined, the Black Guerilla Family evidenced the least amount of verifiable criminal conduct in the community. Crimes are occurring but it is less clear that it is due to the activity of the organization than to members that used the organization as a "front" while in prison and resumed individually motivated criminal behavior upon release. This conclusion should be regarded as tentative as there were fewer leads to follow relating to the BGF and, therefore, less research accomplished.

Law enforcement sources indicate that the group is active, particularly in prison, and offer various interpretations as to what is occurring in the community. There is currently some feeling that there is conflict in the organization stemming from a resentment over the resumption of ordinary criminal behavior by members when released, to the detriment of revolutionary goals. There is a consensus that a desire for revolution remains, with various reasons being offered for a lack of activity. The reasons include a lack of leadership in the community, the "times" not being right for a proactive action posture, and the lack of resources. Some criminal conduct is viewed as a means of obtaining the resources for action.

No gang members were interviewed for purposes of this study. One prospective witness declined for fear of his safety and indicated that to meet at all would confirm the existence of the group and jeopardize him.

In looking at criminal cases, staff encountered a problem confronted in gang-related prosecutions. In actual trials, identifying a crime as gang related tended to divert the jury's focus from the actual crime to the question of gang affiliation. This distractor is viewed by many prosecutors as being counterproductive and is therefore avoided. This approach may have helped the prosecutors get convictions but it made staff's job of documenting gang involvement more difficult.

A number of cases have occurred, however, that do describe some of the gang members' and associates' conduct. Our conclusions are established more from circumstances than from direct testimony.

On January 4, 1977, the University of California Police Department was advised of the discovery of a body found in a remote area of the campus. The victim, Ira Cornelius, had been stabbed, strangled, and rolled down a hill.

Cornelius had been placed at the Rupert Crittenden Center in Oakland by the Department of Corrections. Earlier, Cornelius had been transferred from one of that agency's prisons to another and had been found to be in possession of a number of knives. Investigation of that incident showed that the Black Guerilla Family had forced him to smuggle the knives for them believing that search procedures were relaxed for inmates in transfer status.

While in Crittenden Center, Cornelius became involved with Sidney Byers and Robert Perry, both believed to be BGF

members. Reportedly, these defendants were selling heroin on the streets and Cornelius became involved with them. Word of Cornelius' statements to Corrections' officials regarding the knife smuggling incident got to Byers and Perry, so Cornelius was killed. The fact of the murder being a BGF retaliatory "hit" was testified to in the court process. Both defendants were convicted and received sentences.

While narcotics were indirectly involved in the Cornelius case, they were directly involved in a double homicide that occurred on November 1, 1975, in the Los Angeles area. On that date, a number of armed men went into an apartment and took four persons hostage in what has been characterized as a "drug rip-off." After binding the victims, all were shot. Two persons died as a result of the shooting. Subsequently arrested were Michael "Pygmy" Cowans and James "Doc" Holliday.

James "Doc" Holliday is believed to be a leader of the Black Guerilla Family. This has been testified to by law enforcement persons and ex-gang members before the California State Senate Subcommittee on Civil Disorder, chaired by Senator Dennis E. Carpenter, and the House of Representatives Committee on Internal Security. Cowans is identified in Department of Corrections' records as an associate or sympathizer.

Charges against Holliday were subsequently dismissed, but Cowans was convicted of two counts of murder, assault with intent to commit murder, and robbery with use of a weapon. The trial was lengthy, lasting approximately 1½ years. It is

reported that a number of pretrial motions were entered on the issue of this being related to the Black Guerilla Family but that the case was ultimately prosecuted without gang affiliation as an issue or being demonstrated in court.

One interesting aspect of this case is that on May 14, 1976, while in custody, Holliday, Cowans, and an alleged member of the Aryan Brotherhood, Fred Mendrin, became involved in a fight that left all parties wounded by a jail-made knife. Authorities believe that Mendrin attacked Holliday, with Cowans coming to the rescue. There was no prosecution as none of the participants wished to testify. Cowans is in a California prison; he is a regular associate of BGF members.

There is some current recruiting of new members according to representatives of various enforcement agencies. The Youth Authority indicates that they have BGF members and associates in their older ward institutions but that the numbers are small and no major problems are being identified. Specifically identified as a source of members from the community is a Black street gang from Los Angeles known as the Crips. Members are known to have come from one specific branch of that street gang known as the Pirus. As of this writing, however, no further details are available.

As indicated in an opening paragraph, our data on the BGF is incomplete. While it is evident that members and associates are involved in narcotics activity, particularly within

the Black community, it is less clear how this relates to a revolutionary goal or any direction by the group.

La Nuestra Familia

La Nuestra Familia has established bases of power in the rural areas of California. Like the other gangs it has made the transition from the prisons back to the community. It has areas of strength in the large central valleys from Sacramento to Bakersfield, the coastal valleys from Hayward to Oxnard, and inland areas from Pomona and Chino to Riverside and San Bernardino. Members will also be found in the urban areas such as Los Angeles, the stronghold of the Mexican Mafia. Ex-gang members have described regimental activity in Sacramento, Stockton, Oakland, Bakersfield, Redlands, and San Diego.

Normally, a captain will run a regiment but this may be delegated to a lieutenant if there is no captain in residence. Ex-gang sources also described a dividing of the regiments into squads using a classification system of members by a reliability measure. This system was reportedly developed in the San Jose area after law enforcement made deep inroads into the local regiment. The interest is in limiting what is known by soldiers to reduce damage that may be done by defectors who talk to the police.

La Nuestra Familia is unique in that it has committed much of its structure and organization to paper. Law enforcement all around the state has been able to locate copies of information about the group, and, in fact, there does not seem to be any real effort to hide the material. Our review of cases, testimony, and statements given by persons enmeshed with the group have validated the documents. The

evidence is conclusive that the group is involved in narcotics trafficking, robberies, extortion and homicide around the state. While it has not yet reached the level of effectiveness associated with syndicated crime such as the Sicilian Mafia, it is attempting to do so. One interesting phenomenon has occurred in the N.F.'s attempt to purge itself of weak members and traitors: it has forced the defectors into a relatively new group called the "New Family" for purposes of protection. There are reports from responsible sources that some of the members have become tired of the killing, thus adding to the number of defectors. In a number of instances, officers have testified against soldiers who have carried out their instructions. The soldiers are no longer able to assume that they will be protected by the organization.

The interception of notes from gang leaders has been a useful source of information on gang activity. On November 2, 1977, Salinas parole staff found two notes that contribute to a description of the Nuestra Familia's activity in their area. The note is retyped below from the original; staff has deleted portions that may compromise persons or investigative leads. The note is believed to have originated at Soledad Prison and issued by the first captain.

Page 1 - "All soldados that were assign to Hayward, should by back in Hayward no late than Sunday or be considered traitors.

"Why haven't Bumpers made payments on his 300 dollars disciplinary fine?

"Have Stockton go after traitor (deleted) or (deleted)?"

Page II - "Who authorize the soldados to leave Hayward. If no one put all on discipline and fines.

"You are to go personally to Hayward and Stockton to see what is going on, report back by Monday.

"Also make sure that Hayward rents a house and get's me the Hayward paper."

Page III - "Bumpers is to go after traitor (deleted) Fremont.

"If the regiment in Hayward has enough narcotics, get some to sell in Salinas.

"Leave (deleted) in charge of Hayward, with (deleted) 2nd in command.

"As I told you I want things straighten out and the regiments making money by Monday....."

Page IV - "This Sunday bring the Carnales in Stockton to Salinas. Whenever you know that my runners are coming to town for a report I don't want to hear that you are keeping them waiting. I want you to be on time for those appointment, they got better things to do than be waiting."

A second note found in the pocket of Sammy Venegas, reputed captain of the Fresno regiment, who was present at the November 2, 1977 search, was, in part, in the same handwriting as the first note and read as follows:

Side 1 - "Remember the extortion theory I used to run down about the little neighborhood store. Find your young sympathizers and put them in to work. Gilroy will be a good place to start."

Side 1 was in the handwriting of the person who wrote the first note. Side 2 was in an unidentified person's writing.

"Poss. 2 girls from Fresno
Pay schedule on pros.
Ours 1/3 bank 1/3 girl
1/3 left over 10% to Lt.
Split rest to squad involved
Extortion same as for a job.
No coke or angel dust
Acid only if situations right.
School on P.C. regularly
(deleted)
Ole ladies get away
from rucas that work
streets or use. Don't
put selfs in those pos."

The data in the first note verifies information regarding gang structure and dispersal of strength. The use of fines as a disciplinary tool is discussed. The distribution of narcotics is controlled to some degree by higher authority according to the note, which suggests a more sophisticated level of criminal conspiracy than might exist if all were controlled at the local level.

The second note verifies that extortion of businesses as a gang goal and extends to the shakedown of prostitutes. Note that the shakedown of prostitutes is occurring in the Fresno area. In this connection, there is a scheme for disbursement of extorted funds which includes a portion for the central bank. Finally, the indoctrination of members through an "in-service" training plan is verified.

Board staff contacted law enforcement sources in the Fresno area which has been and continues to be a focal point for gang activity. While all gangs are represented in Fresno's

local statistics, it is clear that the Nuestra Familia has accounted for most of the deaths.

A local analysis of homicides attributed to the various gangs is depicted below. The data is not based on convictions but includes data based on intelligence information.

	<u>NF</u>	<u>EME</u>	<u>BGF</u>	<u>AB</u>
1975	0	0	1	0
1976	5	1	0	0
1977	12	3	0	2

Gang activity over the past two years in Fresno is epidemic. The following cases illustrate the scope of activity, particularly involving the Nuestra Familia.

On December 24, 1977, Luis Gonzalez and Tina Arevalo were found shot and dumped in rural Fresno. To date, the case is unsolved but informants advise that Tina Arevalo was being extorted \$20 per day for weekdays and \$30 per day on weekends as protection from earnings as a prostitute. It was reported that prior to her death she had complained to the police about Nuestra Familia pressure but she declined to prosecute.

In a similar incident, Frances Castillo, a known street prostitute, was killed by five shots to the head on December 24, 1977. Staff talked to a detective who had met with the victim two days prior to her being killed at which time she complained about Nuestra Familia pressure for protection payments. At the time of this writing there is a suspect in custody who has given a statement. He reports that the Nuestra

Familia ordered him to carry out the hit as she was behind in her protection payments. He claims to have been present when other N.F. members talked of killing Tina Arvalo and Luis Gonzalez. Based on other information provided by this witness, police obtained search warrants and located weapons and "hit lists." According to the Fresno detective, information was also received on approximately ten robberies perpetrated by N.F. members. This particular case also demonstrates the use of women to mask gang activities. The houses searched were in the names of women associates. Many of the gang members are under parole supervision. As parolees, their residences and persons may be searched at any time by the parole agent and law enforcement officers. By acquiring residences under a woman's name who was not on parole, a parole search would be prevented.

It is clear that the gangs use force and fear in their attempts to silence witnesses. A significant number of gang killings have occurred in the presence of witnesses. The gangs hope that fear of them will silence prospective testimony.

On March 16, 1977, Eugenia Iniguez and her brother were attacked by five or six young men and sustained multiple stab wounds. The victims, while seriously hurt, survived the incident. Prior to the attack, Miss Iniguez had given testimony at the preliminary hearing of Frank Villagrana, a Nuestra

Familia member who participated in the killing of Daniel Duran. As a result of her testimony, she was placed on the N.F. hit list. She later stated that she was stabbed because of her testimony.

In the Duran case, Villagrana and a sixteen-year old juvenile were being prosecuted for the gunshot slaying of Daniel Duran on November 10, 1976. Both Villagrana and the juvenile pled guilty to negotiated charges and were sentenced to prison. Villagrana admitted to driving the car after the juvenile killed Duran. It was noted that at the time of the arrest of the men in the Duran killing that four handguns, drugs, and Nuestra Familia literature were discovered. The juvenile, a Youth Authority parolee, is believed to be a member of a Fresno street gang.

Villagrana is no stranger to crime. At the time of adjudication, in return for a guilty plea, five prior felony convictions being alleged were struck. He admitted to probation violations in cases involving escape and grand theft, and a charge of ex-felon in possession of a firearm was also dismissed. This case further illustrates the use of juveniles in gang-related activity.

Another 18-year old suspect has admitted participation in the assault on Iniguez, as well as involvement in at least ten different robberies in the area. He indicates that he received Nuestra Familia assistance in carrying out his criminal enterprises.

The utilization of a 16-year old in the killing and other juveniles on the Iniguez assault confirms the use of juveniles to further gang interests. The N.F. believes that juveniles can be profitably used with less risk to themselves. Youngsters, anxious to be accepted as associates and then members, become willing tools. They are, in street jargon, "want-to-be's."

As was shown in a San Jose case in March 1978, fear of the gang retaliation extends not only to prospective witnesses but to jurors. In a prosecution of defendants Arthur Beltran and Phillip Lopez, a defense attorney successfully moved for a mistrial after a potential jurist expressed fear for his safety because of the gangs within hearing of other jurors and potential jurors.

Monterey County has also been a center of N.F. activity. The District Attorney's office handles prosecution of cases occurring on the streets and also cases arising in nearby Soledad prison. As there are a number of extremely important cases currently being adjudicated in the superior courts there, a request to show restraint in describing crimes in that county is being honored.

Cases undergoing trial include witnesses who have testified in prior criminal cases. A discussion of those earlier cases might disturb the present effort at prosecution. Therefore, the following cases are offered as examples of gang behavior in that county.

Rafael Ernesto Gabriel was convicted of first degree murder for the stabbing death of Alejandro Moreno. Art Beltran and Richard Din Castro were convicted of accessory after the fact to murder. Moreno was murdered by Gabriel because he was a member of the Mexican Mafia. The evidence showed that the defendants belonged to Nuestra Familia, which kept lists of all known Mexican Mafia members for the purpose of executing them on sight. The convictions occurred in December of 1977, and all three were sentenced to prison in January 1978.

Tony Frank Mendoza, Miguel Castillo and Art Beltran were convicted of the attempted murder of Austreberto Albarran in January 1978, and sentenced to prison in February 1978. This was an attempt by the Nuestra Familia to shoot a fellow member for violating a gang rule against using heroin and possibly also for not turning the proceeds from robberies over to the gang. This was one of several known internal discipline cases in which the gang attempts to make an example of a recalcitrant member.

The Stockton area has also experienced problems with La Nuestra Familia. Gang members in this area are subject to instructions from the San Jose regiment. Information on the gang's activity in this area became known in a trial subsequent to the murder of Jerry Miranda Blanco on December 18, 1976.

According to information developed in the case, the Stockton Nuestra Familia was having difficulty organizing itself

because of heroin use within the ranks. Use by members is a violation of the group's constitution. According to testimony given by defecting gang members, the alleged N.F. captain from San Jose, Art Beltran, came to Stockton to discipline the local group for failing to commit crimes and forward a share of the proceeds to the bank. Beltran was alleged to have selected Blanco to be killed as an example to the local soldados after Blanco balked at committing robberies for the organization.

One witness, James "Jesse James" Cozad, testified that he had been ordered by the gang to go out on parole to the Stockton area and organize the group. A second witness, John Joe "Mousey" Hernandez, testified that Art Beltran had him call up two soldiers from Gilroy to San Jose where they were told to kill Blanco. Cozad and one of the soldiers arranged to pick up Blanco. They then drove to the site of the murder, Blanco's residence. While in the home, Blanco was stabbed in the chest and shot in the head. The body was placed in the trunk of Blanco's car and the vehicle abandoned in a rural area.

Cozad was taken into custody approximately 10 days later by his parole agent. In contacting Cozad, he determined Cozad was under the influence of heroin and he was arrested. Drug use in the N.F. is a basis for death. Knowing this, Cozad decided to provide information to authorities. He subsequently led officers to the murder weapons and testified in court. He remains in protective custody for his part in the offense.

One other facet in this case was an attempt to kill Cozad's mother in an attempted retaliation for his cooperation with law enforcement. This further reinforces the jeopardy that gang membership entails and their attempt to control members and prospective witnesses through fear and intimidation.

On January 3, 1976, George "Gato" Tenorio, was shot and killed in Santa Clara, the victim of a reported contract killing. Tenorio was visiting friends when he was contacted by two men. Shortly after stepping outside with the men, shots were heard and Tenorio was found in a pool of blood. Subsequently arrested were Daniel "Smiley" Ramos, Jr., and Jose "Crow" De La Luz Cobos.

The suspects were successfully convicted with the aid of testimony given by the regiment's captain and lieutenant. The testimony also spoke of the connection between the streets and prison in that the captain, Felipe "Bruiser" Rios, testified to having received a "hit" order from the organization's first captain, "Death Row" Joe Gonzales. Gonzales is presently undergoing trial in Monterey County for prison-ordered "hits." Felipe Rios and Renaldo Morales were both granted immunity and were afforded protection under a federal program to protect witnesses.

Rios testified to receiving the "hit" order from Gonzales and relaying it to Morales who, in turn, relayed the order to the defendants. It was alleged that the hit was in retaliation

for Tenorio's having cooperated with law enforcement on other matters. According to published accounts, Tenorio learned that a contract had been put out for his life. He contacted the police and arrangements were undertaken to get him out of the country. He was killed a few days before the plan could be implemented.

During the trial, Morales testified to his recruitment at Deuel Vocational Institution (Tracy), the method by which a "hit" order is transmitted, and the use of "runners" or peripheral persons who visit jails and prisons in order to receive and pass on information between leaders and subordinates.

An interesting statement made by this witness is that retaliatory attempts had been made on members of his family as a result of his testimony. This correlates with the Cozad case and the recent discovery that gang "hit lists" now routinely contain the names and addresses of family members.

A non-gang affiliated witness testified concerning her fear over the incident and indicated that she would not have testified had she known it was a Nuestra Familia killing. This again points to the element of fear involved in these cases which has made prosecution very difficult.

There are other instances where there are documented, overt acts against witnesses that come forward to testify. Because many gang killings and assaults take place in the presence of witnesses, this problem is a very significant one.

It was mentioned earlier that not all prosecutors wished to introduce the matter of gang affiliation as a factor in the crime because of concern that it would be a distractor. In the Tenorio matter, this was not the case. To augment testimony given by gang members, the prosecutor brought in testimony from a state correctional officer who reported defendant Cobos' admission to him that he was a member of La Nuestra Familia. Cobos also carries a N.F. tattoo on the inside of his arm.

In mid-October 1976, the trial concluded with Cobos and Ramos being convicted of murder and conspiracy. They each received life sentences. The Tenorio case has given authorities a good look into the operations of La Nuestra Familia. It was well documented and involved virtually all levels and structures of the organization.

The gangs' activities are not restricted to their area of residence. In the Blanco killing, killers from Gilroy were used. Local authorities in Bakersfield, Oxnard-Ventura, Fresno, and Salinas-San Jose frequently find gang members from the other areas in their communities. This mobility makes solution of a crime more difficult and underscores the need for agencies to work together. (See footnote.)

Footnote:

The conditions of parole for adult felons formerly required the parole agent's permission to leave his county of residence; the present conditions do not require such approval. While this formality did not stop travel by a person intent on criminal behavior, it did serve as an investigative aid by allowing the detention of a parolee for investigation. Application of such a condition could well serve as a useful tool in controlling gang activity.

On November 1, 1977, four individuals with N.F. gang affiliations robbed customers and a proprietor in a market in Delhi. Losses included over \$5,000 and a handgun. On November 2, 1977, four men and two women were apprehended in a Hayward motel. Various weapons, including the one taken in the Delhi robbery, were recovered. In addition to the Delhi robbery, there were outstanding robbery charges in Merced and Madera. Home residences of the suspects included Bakersfield and Salinas.

Obviously, not all cases are solved and end in a successful prosecution. As indicated in the Foreword, events occur and are evaluated as being gang related without positive proof. The following incident in Southern California illustrates this.

Salome C. Yglesias was paroled on July 21, 1977. Just prior to his release from prison, prison authorities learned that Yglesias was a member of the Nuestra Familia and was believed to hold the rank of captain. He left his residence on December 26, 1977, in the company of two individuals. His body was found in an orange grove in the City of Riverside the following day. As of this writing there has been no prosecution.

The investigation following the discovery of Yglesias' body has revealed information that Yglesias was killed for failing to comply with Nuestra Familia instructions. Yglesias shared his problem with family members and, in turn, the information was given to the law enforcement and the parole agent.

According to the information source, Yglesias was told to relocate in Fresno to aid the gang in problems being encountered there but had refused to go. A primary suspect in this case, a self-admitted Nuestra Familia member and a "homeboy" to the deceased, contacted him with the request that he come to Fresno. Yglesias refused again. Yglesias received personal and telephone contacts where the request was made that he go to Fresno. He was also asked to participate in some "hits" of local gang members but refused, saying that they should be left alone as they did not wish to maintain their affiliation. On December 26, 1977, he left his residence with his associates, the last known persons to see him alive. There is no testimony to prove that this was a gang killing yet informants indicate that this was the case. On review of the circumstances and based on experience with other cases, it cannot be ruled out.

The length to which the group will strike out at defectors is illustrated by a shootout in Bakersfield on May 27, 1977, for which there have been no successful prosecutions. On this date, two cars containing at least six persons stopped at two nearby houses on Henley Street in Bakersfield. One of the residents was a N.F. defector and a founder of the "New Family" a group of N.F. defectors. Assailants entered the houses and killed a non-gang affiliated person, Refugio Martinez, and wounded two persons at the second house. Minutes after the killing, the assailants entered their vehicles and drove to

another Bakersfield address, home of the intended victim's brother, and fired their weapons into the house. Three persons were in the home and two were wounded; the third person returned fire with a shotgun and hit David Morris in the chest. Morris was deceased on arrival at the hospital. It is believed that he was a lieutenant in La Nuestra Familia.

Sheriff and police units then went to a local apartment where David Morris was thought to reside. Five persons were contacted in the home including the captain from Fresno and two others believed to be gang members. Among items found were a revolver and ammunition, a sawed-off section of a shotgun barrel, and a hype kit. A shotgun was found in a garbage can after a witness reported its being placed there, and an automobile with bullet holes and blood stains was located near the area. There was no prosecution in this case for lack of testimony. One of the individuals contacted at Morris' apartment was again arrested on November 2, 1977, in Hayward under circumstances discussed in earlier paragraphs.

Space is the only limitation to further documentation on La Nuestra Familia. Due to this gang's highly structured organization and documented involvement in narcotics traffic and violent crime, we believe that the gang's activity represents a substantial threat to the community. A key trial is occurring in Monterey County at the time of this writing which may demonstrate how controls can be exercised from within the

prison walls.

Robert Sosa and "Death Row" Joe Gonzales are accused of directing the execution of four persons from inside their cells at two different state prisons. It is believed that these men represent the top two leadership positions in the gang.

The Mexican Mafia

Developing usable data on the Mexican Mafia was a more difficult task than that of documenting La Nuestra Familia. This is partly a result of the sophistication of that group, as well as staff time and cooperation of local enforcement. The Mexican Mafia does not commit their intentions to paper, but they do seem to be involved in crime at a more professional level than the other gangs. The EME is the oldest of the groups studied.

There remain at the time of this writing unanswered questions regarding their involvement with the traditional elements of organized crime in narcotics activity, international involvement in narcotics trafficking, and penetration of social programs and their budgets. There are strong indications of a bail bond company having worked cooperatively with the Mexican Mafia in the Los Angeles area, and the past use of a state computer terminal to gain access to residence and automobile registration information on persons in whom the gang had an interest. Investigations have occurred in these areas in the past or are of current interest but details are unavailable and would not be appropriate inclusion in this study. Staff briefly discussed these latter two instances with a gang defector. He verified these occurrences and pointed out that family members and girlfriends were able to provide needed information and assistance through their employment.

The issues are raised to suggest that there is a difference in the scope and operational ability of the Mexican Mafia and La Nuestra Familia. The overall interest in illegal activity and narcotics remains comparable and cases do exist that demonstrate the gang's activity in the community.

East Los Angeles has been identified as the strong point of the Mexican Mafia. This undoubtedly reflects the origins of the founders. As one law enforcement officer indicated, however, it is not possible to label an area of a community as being gang controlled just because gang members live there; the gangs carry on their criminal enterprise throughout the state.

The present alleged leader, identified as Joseph Morgan, is presently in custody. On April 28, 1978, Morgan pled guilty to two felony charges of receiving weapons through the mail. On May 15, 1978, he was sentenced to five years in federal prison.

A police informant, Eddie "Sailor Boy" Gonzales, is presently testifying in a number of cases involving the Mexican Mafia in the state. His statements have been given coverage in the newspapers. In addition to confirming the street gang origins of the group, he has attributed to Joe Morgan the leadership that brought the group together. He is also credited with having moved the gang's activities out into the community.

Eddie Gonzales' testimony has been a significant source of data on recent gang practices. He is a self-admitted "hit

man" with a number of kills to his credit. The press has reported his admissions and his knowledge that there is a contract on his life for breaking the code of silence imposed by the Mexican Mafia on its members; Gonzales gave testimony to a Los Angeles Grand Jury in the spring of 1977 that he was present when the group voted to kill Bruno Chavez for wanting to leave the gang.

Eddie Gonzales has also talked with law enforcement officials about the Mexican Mafia's involvement in the distribution of narcotics. Gonzales has stated that ten to twelve pounds of uncut heroin arrive weekly for cutting and distribution around the state. Gonzales claims that the organization handles some \$10 million per year in its drug operation.

Bank robberies have occupied a position of importance within the scope of the Mexican Mafia's interests. The following cases illustrate this.

On October 17, 1977, Marcello Baeza, Donald Galoz, Richard Hernandez, and Charles Mendoza robbed the California First National Bank in Hawthorne, California, of \$10,218. Officers on the scene shot and killed Richard Hernandez who had fired on the officers and was attempting to flee. The interesting aspect of this case is that at the time of the robbery, Galoz and Mendoza were under visual observation and surveillance by officers of the Los Angeles Police Department assigned to follow suspected prison gang members. Department of Corrections records

had identified Galoz as a member and Mendoza as a suspected member. They watched these individuals, accompanied by others on the scene in a second car, enter the bank. Back-up officers were called and the group was confronted as they left the bank.

Galoz had denied membership in the Mexican Mafia. Staff contacted officials of the federal institution at McNeil Island in Washington and learned that Galoz is in residence and association with other members of the Mexican Mafia. That institution has recently experienced gang-related killings that were under investigation at the time of this writing.

Fresno was also the site of a number of major bank robberies in mid-1976. One robbery on June 8, 1976, of Lloyds Bank of California is especially significant in that it involved a cooperative effort of the Mexican Mafia and the Aryan Brotherhood. In that incident, Martin Vargas and Daniel Cavanaugh entered Lloyds Bank in plain clothes and identified themselves as security officers. After gaining access to the vault area, they obtained \$111,500 and made good their escape. Convictions were eventually obtained, but the money has not been recovered. Martin Vargas, identified as a Mexican Mafia member, was sent to Leavenworth; Daniel Cavanaugh, Aryan Brotherhood, was imprisoned in Atlanta; and Barry Mills, Aryan Brotherhood, was sent to McNeil Island.

Vargas was arrested on June 28, 1976, 20 days after the Lloyds robbery. He and Victor Murillo, also a California

parolee, had dressed themselves in security guard uniforms and attempted to rob the main branch of Bank of America in Fresno. Police were notified by employees who had become suspicious. When police arrived, the subjects had managed to accumulate \$186,000. They were taken into custody without incident.

In follow-up investigation, it was learned that since April, 1976, Vargas had purchased approximately \$2,000 worth of firearms from a local store. Included in these purchases were two 9MM pistols, two semi-automatic rifles, one AR-15 semi-automatic rifle, and one .357 caliber magnum revolver.

A third bank robbery on August 25, 1977, achieved special attention when it led Los Angeles Police Chief Ed Davis to "declare war on the Mexican Mafia." On this date, Adolph "Champ" Reynoso, with two others, robbed the Bank of America in the San Fernando Valley of \$39,000. At that time, the Los Angeles Police Department believed Reynoso to be one of the top five persons with the Mexican Mafia in the Los Angeles area. He was arrested on September 7, 1977, and through a bail bondsman posted \$100,000 bail. He made all court appearances until being found guilty in United States District Court. Reynoso absented bail prior to sentencing and he is not now in custody.

Like La Nuestra Familia, the Mexican Mafia will kill persons who belong to rival gangs. On June 26, 1976, Walter Hallman, Sr., was found stabbed to death in the San Diego

County Jail. Augustine Rivera, in custody on robbery and burglary charges, was subsequently charged with voluntary manslaughter. He was convicted by jury of this offense on January 14, 1977. At the trial, a former trusty testified to seeing the knife passed to Rivera. This same inmate recounted Rivera's statement to him that he was a member of the Mexican Mafia. At Rivera's sentencing, the issue of Hallman's affiliation with the Black Guerilla Family was discussed as a possible extenuating circumstance. The judge commented on Rivera's having "spun his own web" in regard to Mexican Mafia affiliation and sentenced him to prison.

A case of importance is presently being tried in Sacramento County. The victim, Ellen Delia, is alleged to have been killed to prevent her from giving testimony to state officials about Mexican Mafia infiltration of Project Get Going, an East Los Angeles drug program. Four men, including her husband, Michael Delia, have been charged. Eddie Gonzales, professed gang member, has turned state's evidence and is testifying in the case. The case is unresolved at this point. The murder weapon and another piece of evidence have been excluded from evidence through application of the much discussed "Exclusionary Rule."

The question as to the extent of Mexican Mafia infiltration of social programs is not answered in this study. In March 1977, Secretary of the Health and Welfare Agency, Mario Obledo, requested an audit of selected East Los Angeles drug programs. Under examination were Get Going, Campus Community

Involvement Center (Ayudate), Narcotics Prevention Association, Inc., and Victory Outreach. An audit team consisting of persons from the Department of Benefit Payments, Department of Justice, County of Los Angeles, and the City of Los Angeles was organized. A report was issued in May 1977 as a result of the audit team's work. The scope of the report went beyond that of Mexican Mafia penetration and covered such areas as conflicts of interest, kick-backs, non-existent clients, double billings, and client abuse. A number of disturbing discoveries were made and the findings of this group were forwarded to the Department of Justice for follow-up in Phase II of the investigation. Included in those recommendations was a recommendation for follow-up on Mexican Mafia involvement based on information received from confidential sources.

There is no closure on this investigation to date. It is believed that Phase II was completed in late October 1977, but that the findings have not been made public and remain in the hands of the Attorney General. An interim report, identified in an earlier chapter, was released in May 1978, and spoke to some of the issues. The report indicated:

"Information developed by a Department of Justice follow-up to the East Los Angeles drug program audit indicates at least five Mexican Mafia figures were connected in various ways with the Get Going project. Probable irregularities and illegal conduct in the administration of the Get Going program have been identified both by the earlier Department of Justice investigation and the SITF inquiry. Probable illegal conduct includes solicitation of payment for

nonexistent services and misappropriation of funds due employees. We also note that Michael Delia Jr., the former director of the program, is currently charged in Sacramento County with the murder of his wife, Ellen Delia, who was associated with him in the Get Going project."²

In mid-May 1978, an ex-Mexican Mafia member was contacted and interviewed by staff. One area of discussion concerned his knowledge of gang penetration of social programs. He corroborated, through his gang connections, the penetration in 1971 of Project SPAN at Cal Poly-Pomona, and a second educationally oriented project called COPA.

He described how the elected leader of a community group coalition was forced out of his position by intimidation in favor of the gang's nominee for office. He also spoke of manipulation of legitimate community programs through an appeal to cultural solidarity. Once having gained a key position, it becomes an easy matter to subvert an agency's budget. As an example, he reported that it was a simple matter to hire persons, terminate them verbally a few weeks later, but continue them as employees on paper. Seemingly legitimate checks could then be cashed by gang members.

Like La Nuestra Familia, the Mexican Mafia will also kill members who do not follow instructions. The following case illustrates this.

On February 1, 1977, Gilbert Roybal was killed at his Fresno home. Four suspected Mexican Mafia members have been arrested and are facing charges. One of the four suspects is

undergoing trial for the killing of Ellen Delia in Sacramento. A gang-related witness who is testifying in the Roybal killing is presently being assisted through the Federal Witness Protection Program. The witness, whose testimony has been published in the newspapers, testified that Roybal was killed for failing to share the proceeds of a sale of amphetamines. The testimony provides some additional insight on the scope of Mafia operations and their expectations. The witness also provided a basis for the arrest of Michael Delia for the murder of Robert Lewis and Ysidio Trujielo in Southern California.

A question of the Mexican Mafia's ability to compel others to commit crimes has been raised as the result of a market robbery which occurred in Riverside on February 25, 1978. In this matter, a suspect was taken into custody following an armed robbery of an Alpha Beta store. The suspect, who bore the tattoos "N.F." and "San Jose," is believed to be a Nuestra Familia defector. He further indicated that he had been beaten and forced to commit robberies for the Mexican Mafia. According to a law enforcement official, there are warrants from six other jurisdictions alleging robbery. Street information indicates that, in fact, the Mexican Mafia is using gang defectors to commit crimes. In return, the Mexican Mafia offers a measure of protection and a supply of narcotics for their own use.

As with La Nuestra Familia, some questions have been answered concerning the Mexican Mafia and its operations.

Additional questions may be answered by the end of 1978 when important trials have been completed. It is evident that the Mexican Mafia is a major threat to California and that continuing efforts will be needed to deal with this organization. It is also evident that its influence has spread beyond California. Some preliminary corroborative data has been collected and is included in a later section of this report.

FOOTNOTES

¹"Juvenile Gang Warfare," Senate Select Committee on Children and Youth, 1975, (Senator George N. Zenovich, Chairman), p. 6.

²"Interim Report of California Department of Justice Special Investigative Task Force," State of California, Department of Justice, May 1978, p. 4.

CHAPTER III

THE EFFECTS BY GANGS ON LOCAL AND OUT-OF-STATE FACILITIES

Early in the study, a decision was made to assess whether the gangs have affected local and out-of-state detention facilities. It was known that California gang members were leaving the state for a variety of reasons including (1) commitment to federal prisons for federal crimes; (2) transfers to other states for protective custody situations; and, (3) those who left the state for their own reasons and were committed to prison for crimes elsewhere.

Seventeen inquiries were sent to selected counties regarding the presence of gang members in their facilities and any resultant problems. Most counties queried indicated that they were experiencing an influx of gang members and that problems were being encountered. In general, administrators identified the major management problems as identification and separation.

A common belief is that all gang members have tattoos, thus making identification clear and conclusive. This is not true and there is evidence that gang members are now avoiding such tattoos to make identification by enemies or police more difficult. Most facilities make inquiry on gang affiliation a part of the intake process; some facilities utilize a written classification scheme that fills a variety of needs.

What commonly results when a new inmate is asked about gang affiliation is not an admission of one's own affiliation. However, a statement is given that the individual "can't make it" with the Mexican Mafia or Nuestra Familia group, but he will be able to get along in a given cell area that houses rival gang members.

This may be regarded as an admission by implication and it does meet the gang member's obligation for silence. Identification is extremely critical as misidentification can lead to a dangerous cell assignment. Many have specific cell areas set aside in the facility for the gangs.

In the most recent legislative report by the Board of Corrections, it was reported that 42% of California facilities were overcrowded. This problem is exacerbated by the gang problem. Most California facilities have multiple cells rather than single cells. Multiple cells, only partly utilized by one of the gangs, may not be filled by other persons. Much needed cell space is effectively removed from full utilization. A better solution is to use single cells, but single celling is not available in sufficient numbers to meet all needs. Segregation of gang members and utilization of space then, is the second problem.

Monterey County opened a new county jail in late 1977. They have been housing nearly two dozen gang members who were awaiting trial. The Monterey County Sheriff has reported widespread damage to the new facility by gang members. He reports that the men function as a paramilitary unit, schooling and exercising together and cooperating in destruction of the jail's facilities. A portion of one wall was seriously damaged with one man gaining access to a dayroom. Plumbing and electrical fixtures have been damaged.

Ventura County has a high Nuestra Familia count west of Highway 101, and Mexican Mafia population in the Colonia area of Oxnard. That sheriff's department reported:

"We have been able to identify the one homicide that occurred in our main jail as a Nuestra Familia hit. Extortion of food, sex, and canteen has not been positively identified as gang related although it does occur on a regular basis. Some assaults have been related to gang activity, although generally, assaults are the results of an individual being identified as an informant."

In the homicide in the Ventura County Jail, staff identified the victim as Steve Revelez. The District Attorney who processed the case utilized the theory that this was the execution of a "hermit" or Nuestra Familia defector. Revelez' name was found on a "hit" list found after the killing. Through testimony of a girlfriend and a jail inmate, they did demonstrate that he was a "hermit". One interesting feature of this case is that Revelez was apparently identified by newly arrived N.F. gang members who were inquiring into who was in custody. A confiscated document used in N.F. "schooling" sets forth a standard procedure to identify who is in your housing area as part of making the area secure and in organizing that area.

Lawrence Saldivar and Tex Martin Hernandez were convicted of the crime. It was testified to that Saldivar once taught a class to gang members in prison on how to make and use prison-made weapons. Saldivar was believed to be the second captain in the N.F. His co-defendent, Hernandez, was a Youth Authority parolee who was inducted while a juvenile. While in a Youth Authority facility, it was determined that he had misused institutional facilities to make up cards that contained the N.F. oath. One of his institutional correspondents was Art Beltran, suspected leader of the San Jose regiment.

The San Diego County Jail has experienced one homicide attributed to the Mexican Mafia. The circumstances were reported in an earlier section. Augustine Riviera was convicted in that case. That facility reports no major ongoing problems, due probably, to the limited numbers recieved. Fresno County indicates they have a cell with a capacity of 22 for gang members. They report that it is usually fully utilized.

"There have been incidents of stabbings in the jail between members of different gangs, also pressuring for commissary, trusty pay, extra food. There has been at least one incident of pressuring for sex"

"Even though the gang members constitute a small percentage of the jail population, they create the largest security problem. These members are potentially the most dangerous inmates because of their 'gang code'."

Santa Clara reported in their response to our inquiry:

"Incidences involving gang members are too frequent to mention, however, starting in 1975 we had so much gang related violence we had to immediately effect classification procedures to deal with this type of activity. Fortunately, we were able to avoid killings, but almost every other type of violence has occurred. Although we feel we have been able to control it, it is something we must be constantly aware of"

"The problem is extremely serious, and is one I feel the state has an obligation to assist the local jurisdictions as so many of these gang members come from the prison system"

Attached as Appendix F is a Nuestra Familia memo confiscated in a San Joaquin Valley jail. This document supports the Monterey County Sheriff's statement that while in custody, the gang members operate on an organized basis. The document speaks to duty hours for N.F. gang members while in custody, security, mandatory schooling and rules and procedures while in custody.

Staff also reviewed a 1500-word composition that had been written by a soldier on orders of the local leader. The soldier had violated orders by falling asleep during the time he was to be awake and on watch.

In tracking the criminal dispositions and placement of some individuals in the federal system, McNeil Island, Lompoc, and Terre Haute were contacted. At McNeil, a custody source indicated two recent gang-related homicides that were still under investigation. Approximately two dozen gang members have been identified and are being observed. Inquiries at Lompoc and Terre Haute brought a negative response for gang activity. Staff did not make more than casual inquiry of the federal system so our remarks should be regarded as incomplete.

The states of Utah, New Mexico, Nevada, Texas, and Arizona were contacted for any reportable gang activity. New Mexico did not respond. Texas reported no gang problems. The Utah State Prison reports one homicide. The warden wrote that a Mexican Mafia member was placed in that facility for protective custody purposes. Conflict arose between this person and some Black inmates. As a result of conflict, a stabbing death occurred in the presence of one of the staff members. Convicted, this man was re-committed to prison for an additional term.

The Arizona State Prison at Florence has experienced difficulty with the gangs at their facility. Staff did discuss the problem with an official of the Arizona Department of Public Safety, Criminal Intelligence Section. He described their activities in the prison as including drug trafficking and some extortion of

inmates. The general opinion expressed was that gangs of one type or another probably exist in every prison in the country. There was an acknowledgement that while some Arizona gang members had been in California prisons and gangs, there was no evidence of control of the Arizona gangs by the California groups.

Your staff did have an opportunity to review a publication from the Arizona Department of Public Safety entitled "Arizona State Prison Gangs," printed in August 1977. The document was labelled confidential but permission was obtained to cite selected data.

The report indicated that in January 1975, Arizona officials first encountered a Mexican-American inmate gang called La Familia and noted their involvement in selling protection to other inmates for money, cigarettes, or other canteen items. They indicate that physical force was used to insure payment. They further report that in mid-1975 the group reorganized and changed their name to the Mexican Mafia. With this reorganization came an expansion of activity into a broadened extortion and protection racket with demands being made not only on inmates but their families. They report that some inmates who did not comply were sexually assaulted or sold to other inmates for sexual purposes.

In an overview statement it is reported that as of the date of publication

"Six murders, seven assaults with intent to murder, and two assaults with deadly weapons have been positively attributed to this Mexican Mafia group to date, plus numerous incidents involving beatings, sexual assaults and rip-offs where evidence was insufficient to prosecute; i.e., victims and witnesses refused to cooperate for fear of death.

"Recent events indicate this group is developing a 'street capability' to enforce their demands, including threats against inmate victim's families, and to otherwise facilitate their various criminal enterprises outside the prison walls."

The Arizona experience, to a degree, parallels the growth of this group in the California prison some years earlier. As in California, they are aligned with a white supremacist group patterned after the Aryan Brotherhood.

One interesting feature of the Arizona Mexican Mafia is their reported patterning after a paramilitary model. Two godfathers and a council of seven guide the organization. Also included in the hierarchy are captains, lieutenants and soldiers.

Finally, the Arizona report discusses the presence of the Black Guerilla Family and the white supremacy groups but with little detail. This is in contrast to their coverage of the Mexican Mafia and is believed to reflect the relative seriousness of their problem.

CHAPTER IV

CURRENT APPROACHES TO DEALING WITH THE GANGS

The California Youth Authority

The California Youth Authority has detected an increase in prison gang involvement by its older wards. This is in contrast to "traditional" gang problems that involved either northern and southern regional factionalism or street gang feuds. A Youth Authority spokesman indicates that there is significant recruitment occurring, primarily among the Mexican-American population. Recruitment is most evident at institutions that handle older wards such as the Youth Training School and Preston. Some Aryan Brotherhood activity is noted; the Black Guerilla Family seems least involved.

In 1977, the Youth Authority convened a gang activities task force to look at the issues and problems that were being identified because of gang activity. The task force attempted to develop strategies to deal more effectively with the gangs. A number of areas for action were identified by this group.

1. The task force recognized that an information system was needed to assist in the identification of suspected gang members and to provide a central repository for data that was being collected on the gangs. It was believed that this resource would allow for more effective dissemination of information to persons and agencies with a need to know.

2. A communications system was needed to allow a sharing of information between institutions, institutions and parole, and with outside agencies.

3. A key person at each institution was to be designated to handle matters relating to gangs. This centralization would improve the quality of operations and control over what data was gathered and shared.

4. Appropriate staff training was believed to be necessary. This training would include information on the history, nature, and scope of the various gangs.

5. A final step would allow for the development and adoption of strategies that might be effective in abating the gang problem. Some options to be considered would include

- a. segregation of leaders and members;
- b. combining and mixing of gangs;
- c. education of wards on gang membership; and,
- d. developing programs that offer alternatives to membership.

The Youth Authority has recently established a three-man Law Enforcement Communication Team. This group is charged with the tasks relating to collection of information, sharing of that information, and liaison with other agencies involved with the gangs.

Contact with the team leader early in this study brought verification of recruiting activity in the institutions as measured through the monitoring of mail, confiscated documentation such as "hit" lists, and informant data. An opinion expressed, compatible with a theme of this report, is that by the time many wards get to the Youth Authority they have had considerable exposure to gangs from their street experiences. Some eighty different street gangs are represented, for example, at the Youth Training School.

One specific example discussed with the team leader was a street gang from the Chino area known as the "Sinners" which has been a source of members for La Nuestra Familia.

The team will be handling matters involving the gangs in Youth Authority institutions and parole. There is no identifiable plan at present to afford special supervision of wards while on parole.

Department of Corrections

The prison gangs have had their greatest impact on the adult system in the Department of Corrections. That agency has convened a number of study groups since 1972 to explore ways of managing the gangs. There is presently a task force meeting on the gang problems; there is no final report on its work to date. One area under study by this group is the development of sanctions that might be imposed on gang leaders and members when problem behavior is encountered.

Recommendations and issues being considered by Department of Corrections' planners include:

1. Concentration or dispersal of gangs within the prison system.
2. Limiting the number of gang members in a given facility to dilute their influence or impact on a facility.
3. Utilizing the older and more traditional prisons for gang housing even when and if new facilities are constructed.
4. Use of lockup, until parole, for inmates who by their assaultive actions show gang membership.

The Special Services Unit of the Department of Corrections plays a major part in that agency's effort to combat gangs. Their responsibilities include monitoring of gang activity, development of information sources, participation in the Prison Gang Task Force, and liaison with law enforcement. The more recently formed Law Enforcement Communications Team in the Youth Authority may be viewed in these areas as being the counterpart of the

Special Services Unit. The Special Services Unit operates not only within the sphere of the institutions but also with adult felons on parole.

A spokesman for the institutional aspect of the Department of Corrections identifies control of narcotics trafficking in the prisons as a major part of the gang abatement effort. The group that controls narcotics in prison is in a powerful position. By controlling drugs better, it is hoped that a major economic reason for gang membership can be eliminated. This approach seems to be promising based on conversations with ex-gang members who, in part, spoke of their having affiliated with the gangs in prison in order to make their lives more comfortable. One witness indicated that he was able to support his family from prison through the sale of smuggled narcotics.

Plans to implement this approach include the acquisition and use of narcotics-sniffing dogs, the use of the EMIT system for drug use tests, additional positions in the institution for gang liaison work with the Special Services Unit, and better control of the inmate visiting process. Until the current budgetary process has been completed, it is unclear at what level these plans will be implemented.

In the past few years, the Department of Corrections has adopted some restrictions on community groups who had been visiting and working in the institutions. While there is a legitimate need and good effect from cooperation with inmate-oriented groups, a "wide-open" policy has serious problems.

As in the case of the development of the Symbionese Liberation Army, some prison groups have a "Trojan Horse" aspect to them. Both investigators and ex-gang members spoke to the use of outside groups to further gang interests. It is clear that there is a need to balance the possible good effects that may result from use of outside resource groups with the security threat that may develop. Both sides of the issue will have to be constantly monitored and evaluated. As in so many corrections questions, staff feels that the public should be aware the issue is not simple.

An educational approach to reducing the effectiveness of gang recruitment is being developed at the California Mens Colony in San Luis Obispo. The group, known as the Institute on Prison Violence, is developing a variety of media approaches for use in the prisons and the community. Through the use of films, personal presentations, posters, television and radio, individuals in the community or in institutions will be informed about gangs. The group's objectives include:

1. To debunk the glamour of gang membership.
2. To alert people to the destructive forces and consequences of gang membership.
3. Presentation of alternatives to gang membership.
4. Utilization of older inmates to assist with the gang problem.
5. Involving the community in new gang prevention approaches and projects.

One fact comes to the forefront in the investigation of gang activities and that is that a large proportion of members have been imprisoned before and many are under active parole supervision. Therefore, the Parole and Community Services Division of the Department of Corrections and its counterpart in the Department of the Youth Authority are in unique positions to provide a measure of community protection.

The role of a parole agent is to provide a measure of support to the person who is newly released from prison. Re-entry, after a lengthy period of incarceration, is difficult and requires considerable assistance, whether it be from the parole agent or a community agency. Should the newly released parolee prove to be criminally oriented, then the peace officer powers of the parole agent may be used to provide a measure of surveillance and control.

The Department of Corrections is taking steps to improve parole operations through implementation of the "high control" concept. This effort is designed to identify potentially violent or the chronic serious offenders who are not generally amenable to casework services. Additional supervision and surveillance will be directed towards this subgroup. It is expected that this will improve detection of crimes by paroled offenders and assist in their prosecution. Staff supports this approach as providing balance to the parole and re-entry process. It is noted that the California Probation Parole and Correctional Association endorsed this concept in early 1978.

EXECUTIVE SUMMARY

The findings of the staff investigation into the nature and scope of prison gang activities are as follows:

- . Four major gangs currently function within California state prison institutions: the Aryan Brotherhood, the Black Guerilla Family, the Nuestra Familia, and the Mexican Mafia. Within the institutions, the gangs engage in narcotics trafficking, pressuring and physical coercion of inmates and, in one case, promulgation of revolutionary political doctrines.
- . With the exception of the Aryan Brotherhood, gang membership is predominately, but not exclusively, along racial or ethnic lines. The Aryan Brotherhood maintains an essentially racist posture.
- . Of these gangs, the Nuestra Familia and Mexican Mafia are by far the most organized and active.
- . The organizational hierarchy of the Nuestra Familia and the Mexican Mafia direct criminal activity in communities around the state, including murder, narcotics traffic, extortion, robbery, and other types of crime.
- . It is unclear whether the Black Guerilla Family and Aryan Brotherhood similarly direct such street crime activities in an organized fashion, but individuals with records of association with these gangs are involved in criminal activities in the community.
- . Within the prison institutions and possibly in the communities, a loose cooperative alliance exists between the Aryan Brotherhood and the Mexican Mafia on the one hand and the Black Guerilla Family and the Nuestra Familia on the other.
- . California county jails and out-of-state prisons have begun to experience gang-related problems within their institutions.
- . Recruitment of gang members is occurring among young people in the Department of the Youth Authority and in the community.

- . Law enforcement is experiencing some success in the investigation of crimes, arrest and prosecution of gang members. The cooperative approach, such as that exhibited by the Prison Gang Task Force, should be continued.
- . The origins of the gangs lie in the community as well as the prisons. An effective prevention and eradication strategy will require an expanded coordination of effort. This effort must be multifaceted and should include not only the cross-jurisdictional efforts of law enforcement but, at an appropriate level of involvement, the contributions of corrections agencies and community groups working in the affected neighborhoods.

CONTINUED

1 OF 2

APPENDIXES

Standard 2.4

Privacy and Freedom of Information Legislation

States should review existing and proposed privacy and freedom of information legislation to insure that such legislation (1) accommodates the legitimate needs of law enforcement agencies in their organized crime control and police intelligence programs, and (2) protects basic individual rights of privacy.

Commentary

Central to all law enforcement efforts to deal with organized crime is the legitimate need to gather investigative and intelligence data on the conduct of persons and businesses suspected of participation in organized criminal activities. (See Chapters 6 and 7.) The collection and handling of such data pose the problem of how to balance the individual's right to privacy with society's right to be protected from criminal conduct. A related consideration is the right of access by the public to information about government activities and their influence on society.

State and Federal legislation (notably the Privacy Act of 1974, P.L. 93-579, 5 U.S.C. Sec. 552a) already attempts to balance these competing social values. Legislation pending in some States would, if enacted, shift the balance of these competing needs and limit severely the ability of law enforcement agencies to provide the protection needed against expanding criminal activity.

The scope of organized crime activity, in terms of both its diversity and its multijurisdictional nature, presents unique problems for law enforcement agencies. A basic characteristic of American law enforcement is local control. This means that a single police agency within a State or community has great difficulty dealing with an organized criminal operation in its own area if that operation is controlled from out of State, or if organized crime figures use political boundaries to evade or circumvent prosecution. Further, criminals' use of banks, companies, or legitimate fronts in other States, prevent a local agency from gathering the information needed for successful prosecution. Chapter 5 (Regulatory and Administrative Agencies) addresses this problem by proposing State and Federal liaison functions.

The solution is not, however, to relinquish law enforcement of these types of cases to the Federal Government. Rather, this particular field requires the free interchange of information among police agencies at Federal, State, and local levels. Moreover, the pervasive nature of organized crime activity requires that such interchange be maintained with licensing and regulatory agencies as well. In addition, members of the public must be informed of the threat posed by organized crime's infiltration into the private sector.

In order to investigate organized crime, law enforcement agencies collect and store intelligence

information over long periods of time. The information is analyzed, tested for reliability, and exchanged with other agencies in the process of identifying and prosecuting specific criminal acts.

The potential for abuse of rights of privacy in this process exists. This has been demonstrated by recent disclosures of questionable Federal intelligence activities (see especially the April 1976 report of the U.S. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities). The increasing sophistication of surveillance techniques also increases the risks of invasion of privacy. Also, raw data gathered in the intelligence process are often of untested reliability; they must, therefore, be secreted until they are verified, so that persons are not wrongly linked to organized crime.

The significant problem here is to fashion privacy legislation so as to preserve law enforcement's essential need to investigate crime and ferret out covert criminal conspiracies, and, at the same time, protect the privacy of the individual.

Intertwined with the law enforcement-privacy dilemma as it relates to organized crime is the right of the public to be informed. For example, disclosure legislation such as the Federal Freedom of Information Act (FOIA, P.L. 93-502, 5 U.S.C. Sec. 552) authorizes public inspection of broad categories of government documents and records. However, both freedom of information and privacy legislation are usually accompanied by specific exemptions for criminal law enforcement data. The impact of such legislation on the intelligence and investigative functions varies with the breadth of those exemptions.

A recent State statute was passed without any law enforcement exemption. The law apparently was enacted without obtaining advice or concurrence of law enforcement officials concerning its scope or its lack of an exemption. If the law were allowed to go into effect without an exemption added, all law enforcement files could be examined by the persons under investigation; effective organized crime investigation would end. An amendment to the law that would remedy this situation was signed by the governor.

Potentially, all privacy and freedom-of-information legislation could have a threefold impact:

1. Restricting the actual gathering of information;
2. Restricting the exchange of data between law enforcement agencies, as well as limiting the ability to store and transfer the data acquired; and
3. Allowing inspection of records by those under investigation, thereby alerting them to informants and investigative leads. The criminal suspect would then have a chance to destroy evidence, change methods of operation, or otherwise circumvent the legal process.

Although the Federal Freedom of Information Act does not apply directly to the States, it can have an impact on them when material shared with Federal agencies and contained in their files becomes the subject of a demand to the storing Federal agency for disclosure. Such disclosure could, in turn, guide the subject of the file to seek further disclosure from the State file (and obtain it if State law permits). Obviously, such risk tends to impede the flow of information from State agencies to the Federal Government, and thereby limits the effectiveness of any joint effort to deal with organized crime.

Federal privacy legislation is generally directed at limiting the availability of criminal history data.²⁰ This is accomplished by requiring the purging and sealing of records, thus restricting the ability to maintain data. This type of legislation also places limitations on the exchange of data between government agencies, as well as between those agencies and outside persons or entities.

The law enforcement exemptions of the Privacy Act seem broader than those of the Freedom of Information Act, in terms of disclosure of criminal investigative and intelligence information (see 5 U.S.C. 552a(d)(1) and 552a(d)(2)). However, certain provisions of the latter law (see especially Sec. 552a(b)(7)) could well prevent the flow of needed information to State agencies. For example, if a Federal agency knows of an organized crime move into a State or local area, a strict reading of the act would seem to preclude the Federal agency from supplying the needed information, even if it were willing to do so. Further, the State agency could hardly request information that it did not know existed.²¹

In summary, the effect of both privacy and freedom-of-information legislation is to reduce the

²⁰ The following distinction should be observed between criminal history data (also known as Criminal Offender Record Information) and criminal investigative or intelligence data:

- Criminal history information (i.e., an individual's "rap sheet") essentially consists of arrest and conviction records, plus correctional and release information.
- Criminal investigative information is associated with an individual or an entity; it has been gathered in the course of investigating a specific criminal act and is made up of data received from informants, investigations, and surveillance.

²¹ In her speech at the National Conference on Organized Crime held in Washington, D.C., October 1-4, 1975, Mary Lawton, Deputy Assistant Attorney General, Department of Justice, recognized the absence of any provision in the Privacy Act "... for a Federal agency to volunteer law enforcement information to another Federal agency or to a State or local agency having enforcement responsibilities."; as a possible solution to this problem she pointed out that "... Federal agencies have been urged to include among their 'routine uses'—required to be published in the Federal Register for public comment—the referral of information to appropriate law enforcement agencies and prosecutors."

flow of information, either by direct restriction or by risk of disclosing shared information. Such legislation does not totally prevent State-Federal cooperative efforts to deal with organized crime, but does require awareness by the participants of the requirements of these statutes and care in the way they cooperate.

LEAA rules and regulations also bear on criminal investigation and recordkeeping. LEAA provides funding to assist State and local law enforcement agencies throughout the country in a wide variety of endeavors, including organized crime investigation. The use of Federal funds, in turn, gives LEAA a voice in regulating the recordkeeping and data dissemination of those recipient agencies.

In March 1976, LEAA published revised regulations applying to all State and local agencies and to individuals collecting, storing, or disseminating criminal history information with LEAA funding. The basic thrust of the regulations continues to place restrictions on the maintenance and exchange of criminal history information, but the new revisions now provide that both conviction data and pending charges may be disseminated without limitations. As to nonconviction record information, dissemination of such data after December 31, 1977 would be allowed for any purpose authorized by a [State] statute, ordinance, executive order, or court rule, decision, or order. The regulations as amended permit dissemination to criminal justice and certain government agencies; other individuals and agencies may have access to the data for certain research, evaluation, and statistical purposes. However, restrictions of confidentiality are placed on such use. Finally, the subject of the data has the right to inspect the records, which must be accurate and complete, and must include information on the disposition of arrests within 90 days of such disposition.

A few States have laws pertaining to individual privacy that might affect criminal intelligence or investigative efforts directly or indirectly. For example:

1. Fifteen States limit the use of polygraph examinations by government or private employers.
2. Nine States have expungement or sealing provisions with regard to criminal records and limitations on their use.
3. Five States impose limits on the ability of law enforcement agencies to participate in regional or national criminal information systems (dealing with criminal offender record information).
4. Several other States impose limits on the ability of law enforcement agencies to conduct, or to use the results of, wiretapping or other forms of electronic surveillance.

The judiciary has also played a role in the privacy-criminal intelligence dilemma. In California,

a State constitutional provision worded identically to the fourth amendment to the United States Constitution was interpreted as restricting the right to gather financial data from third parties. (See *Burrows v. Superior Court*, 13 Cal. 3d 238; 529 P2d 590; 118 Cal. Rep. 166 (1974); California Constitution Article 1, Section 13.)

At issue in this case was whether a bank could turn over copies of account holders' records voluntarily to police when such records were "owned" by the bank. The court found an "expectation of privacy" on the part of the depositor that the bank would not release such records unless served with legal process, or unless the bank itself was a victim of the depositor. (Cf. *California Bankers Association v. Schultz*, 416 U.S. 21 (1974) holding essentially contrary on fourth amendment grounds.) However, in April 1976, the U.S. Supreme Court ruled in *U.S. v. Miller* (44 L.W. 4528 April 21, 1976) that the customer's expectation of privacy in regard to bank records was not justified. (See Standard 5.3.)

Proposed Legislation and Special Problem Areas

In recent years, a veritable flood of privacy-related legislation has been offered or enacted that covers a broad range of records and activities dealing with the collection and use of personal data. This legislation considers, for example, bank records, criminal justice information, electronic surveillance, and the use of polygraph examinations. The basic provisions of such legislation that relate to the criminal investigative or intelligence function include:

1. Requirements for early sealing or purging of information not leading to conviction;
2. Provision for access of individuals to criminal history information collected on them;
3. Limitations on the intelligence or investigative data may be stored; and
4. Limitations on the dissemination of data.

Much of both existing and proposed privacy legislation is aimed at restricting the flow of criminal history data. This comes at a time when business is more than ever the target of illicit infiltration by criminal elements. Such legislation, therefore, has a significant impact on business, because it deprives employers of information on the possible criminal activity of present and prospective employees.

New restrictions on criminal history data prohibit release of such data to nongovernment employers. The loss of this information, along with legislative restrictions on asking employees about arrest records, and sealing or expungement statutes, which allow a convicted individual to deny prior arrests or convictions, make employers more vulnerable to victimization. This problem is discussed further in Chapter 4.

Again, a balance must be sought that insures that individuals are not deprived of rights or privileges because of incorrect information, and that enables law enforcement officials to perform their duties to protect society from criminal conduct. The rights and responsibilities of business to protect itself and its customers from criminal acts also must be considered.

Determining the point at which the individual's right of privacy is balanced with the public's need to know is difficult. Clearly, persons can be arrested without justification and a record developed on them. Raw, untested data may be used to deny someone employment, a license, or other opportunity. This possibility for abuse should be a primary consideration when legislating in this area.

Lastly, the sealing and expunging of records create a further problem. Such provisions are intended to aid in the rehabilitation of offenders by providing them with a "clean slate." This, however, conflicts with the right and responsibility of employers to know the character of those they are about to hire—a knowledge that can help prevent infiltration by organized crime figures and other personnel and financial risks into legitimate businesses. Some legislative accommodation beyond the present privacy provisions is needed in this area.

Despite its inability to disclose information within files, law enforcement agencies have a duty to inform executive agencies, legislative bodies, and the private sector of the problems in our society created by the growth of organized crime. Even if specific names and places cannot be given, the citizens' right to be informed, at least in general terms, about organized crime infiltration is basic to organized crime control efforts.

Knowledge of the extent of organized crime's involvement in business, for example, can stimulate action by regulatory agencies. (See Chapter 5.) Such agencies are, at present, somewhat limited in their ability to effectively regulate businesses controlled by criminal elements, either because they are unaware of the infiltration or because of the large number of industries into which organized crime has entered. A cooperative relationship between law enforcement agencies and agencies regulating these industries would provide an effective tool that could both identify infiltration and thwart growth by use of licensing and other regulatory powers. Law enforcement agencies could, for example, exchange data with alcohol beverage control boards, the Securities and Exchange Commission, and local zoning or planning groups.

In many instances, existing State privacy laws do not seem to prevent regulatory agencies from pro-

viding information to law enforcement agencies at the State level. Federal privacy legislation, however, prohibits some Federal agencies from providing data to State and local law enforcement agencies and even to Federal law officers, at least without giving notice to the subject of the data. That notice, though, might well serve to thwart an investigation.

Conclusion

The problem of organized crime in a free society requires that law enforcement agencies have the capability to gather and analyze data. The traditional reactive approach to crime control is not effective when dealing with the scope and nature of organized crime. Law enforcement officials also must have the capability to retain data in bits and pieces, and the right to review the material until they can determine whether or not a given enterprise has a proven criminal base. Also, they must have the capability to exchange information with other law enforcement agencies, regulatory agencies, and the business sector. In the absence of these tools, the diverse and sophisticated schemes of organized crime cannot be combated.

Reference

1. *Federal Register*, Vol. 41, No. 55, Friday, March 19, 1976 (Title 28, Chapter 1, Part 20, Subpart B, Sec. 20.21.)
2. U.S. Department of Justice (LEAA), *Compendium of State Laws Governing the Privacy and Security of Criminal Justice Information*, 1975.
3. *Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities*, April 26, 1976, Report #94-755, Vols. I-III.

Related Standards

The following standards may be applicable to implementing Standard 2.4:

- 5.3 Authorization for Access to Records
- 5.4 Civil Sanctions
- 5.5 Organized Crime State-Federal Liaison Office
- 6.1 State Organized Crime Intelligence Unit
- 6.2 Local Organized Crime Intelligence Unit
- 6.3 Regional Organized Crime Intelligence Networks
- 6.5 Access to Files and Dissemination of Information
- 6.6 Purging of Files

SUPREME POWER STRUCTURE OF LA
NUESTRA FAMILIA

APPENDIX B

ARTICLE - 1 SUPREME COMMANDER-GENERAL...

- SEC-1: THE NUESTRO GENERAL IS THE SUPREME POWER IN THE ORGANIZATION KNOWN AS "LA NUESTRA FAMILIA;" HIS POWERS SHALL HAVE NO LIMIT (WITH IN ART. I, SEC I, II, III) SOLELY HE CAN DECLARE "WAR" FOR THE ENTIRE ORGANIZATION AND ONCE IN A "STATE OF WAR" PEACE WILL NOT PREVAIL UNTIL THE ANNOUCEMENT FROM NUESTRO GENERAL...
- SEC-II: A NUESTRO GENERAL WILL AUTOMATICALLY BE RELEASED OF DUTIES AND RESPONSIBILITIES UPON RECIEVING A DATE OF ONE (I) YEAR OR LESS...
- SEC-III: A NUESTRO GENERAL WILL BE A SEASONED (EXPERIENCE) WARRIOR; THIS QUALIFICATION IS MANDATORY IN ORDER TO HOLD THIS HIGH OFFICE. WHEN THE TIME COMES FOR NUESTRO GENERAL TO PICK A SUCCESSOR HE WILL DO SO FROM THE RANKS OF COMMANDERS AT HIS DISPOSAL...
- SEC-III-
"A": IN CASE OF AN EMERGENCY AND A NUESTRO GENERAL IS DOWNED. THE CAPITAN AT THAT PINTA WILL TAKE OVER AND AUTOMATICALLY DECLARE "WAR" UNTIL THE 1ST CAPITAN CAN ASSUME THE RANK OF NUESTRO GENERAL IN THIS EMERGENCY THE HOME CAPITAN WILL HAVE NO POWER TO APPOINT OR REPLACE ANY OR ALL POSITIONS IN THE HIGH COMMAND OF LA NUESTRA FAMILIA...
- SEC-IV: NUESTRO GENERAL HAS THE POWER IN A "STATE OF WAR" (CONDITIONS AS REGARDS TO STRUCTURE) TO APPOINT CAPITANS; IN PEACE TIME HE WILL RETAIN THE POWER TO DISCHARGE ANY COMMANDER THAT IS NEGLIGENT IN THE FUNCTIONS OF SAID POSITION. HOWEVER HE WILL RELIQUISH HIS POWER TO APPOINT CAPITANS AND IF THE FAMILIA (CLAN) WHERE THE CAPITAN HAS BEEN DISCHARGED HAS NO RESERVE CAPITAN TO TAKE COMMAND. THE CLAN (FAMILIA BODY) OF SAID DISPOSE CAPITAN WILL ELECT A SUCCESSOR...
- SEC-IV-A: A DISCHARGED COMMANDER WILL LOSE HIS RANK OF CAPITAN AND ALL SAID AUTHORITY OF THAT RANK...
- SEC-IV B: HEADQUARTERS OF THE NUESTRA FAMILIA WILL ALWAYS BE WITH THE NUESTRO GENERAL AND WILL MOVE WITH HIM...

SECTION V ONLY APPLIES IN PEACE TIME

- SEC-V: NUESTRO GENERAL UPON RECIEVING A COMPLAINT FROM ONE OF HIS SOLDADOS THAT THE AUTHORITY WHICH HE IS UNDER IS UNJUSTLY USING THEIR POWERS OVER HIM, DUE TO A PERSONAL CONFLICT-HE (NUESTRO GENERAL) WILL APPOINT A COMMITTEE OF NO LESS THAN THREE (3) SOLDADOS FROM THAT PARTICULAR CLAN TO INVESTIGATE SAID CHARGES AND EACH IS TO REPORT TO NUESTRO GENERAL...

SEC VI: NUESTRO GENERAL WILL ALWAYS KEEP IN TOUCH WITH ALL FAMILIANO'S LEAVING INTO THE STREETS, UNTIL A BRANCH OF LA NUESTRA FAMILIA IS ESTABLISHED...

SEC VII: THE NUESTRO GENERAL CAN HAVE A MANY AS TEN (10) ACTIVE COMMANDERS AT ONE TIME, HE WILL GRADE THEM AS 1st 2nd 3rd AND SO FORTH, ACCORDING TO THIER LEADERSHIP ABILITY AND OVER ALL FORESIGHT...

SEC VIII: THE NUESTRO GENERAL WILL APPOINT A 1st CAPITAN OR COMMANDER WHO WILL BE HIS SUCCESSOR: AND IF THE NUESTRO GENERAL BECOMES INCOMMUNICADO: THE 1st CAPITAN OF LA NUESTRA FAMILIA WILL HAVE THE RESPONSIBILITY TO SEE THAT EACH CAPITAN OF SAID ORGANIZATION WORKS AND GOVERNS WITH-IN THIS CONSTITUTION...

SEC IX: THE SUCCESSOR ONLY APPLYS AS FAR AS THE 1st CAPTIAN IS CONCERNED. THE NUESTRO GENERAL HAS THE RIGHT TO SELECT THE 1st CAPITAN....

-DISCHARGE FROM ALL DUTIES OF NUESTRO GENERAL-

ARITCLE-1 "A"

SEC-I: NUESTRO GENERAL MAY BE IMPEACHED FROM OFFICE, WHERE IT IS THE OPINION OF ALL COMMANDERS HOLDING OFFICE AT THAT TIME, THAT HE (NUESTRO GENERAL) IS NOT WORKING IN THE BEST INTEREST OF THE ORGANIZATION, THIS CAN BE DONE BY A PETITION OR DOCUMENT WITH THE SIGNATURES IN THE CAPITANS OWN HANDWRITING...

SEC II: UPON RECIEVING THIS DOCUMENT THE NUESTRO GENERAL WILL AUTOMATICALLY LOST ALL POWER; BUT HE MAY CHALLENGE THE LEGALITY OF THE SIGNATURES IN WHICH CASE A SOLDADO WILL BE APPOINTED BY THE BODY TO WRITE TO THE CAPITANS AND VERIFY THE VOTE'S...

SEC III UPON CONFIRMATION, DISCHARGE OF THE NUESTRO GENERAL, HE WILL LOSE ALL RANK AND THE SUCCESSOR WILL MOVE INTO THAT POSITION...

ARTICLE II: REVISED BY-LAWS AND OBJECTIVES DE LA NUESTRA FAMILIA:

SEC-I: THE PRIMARY PURPOSE OR GOALS OF THIS ORGANIZATION WILL BE FOR THE BETTERMENT OF ITS MEMBERS AND THE BUILDING UP OF THE ORGANIZATION ON THE OUTSIDE INTO A STRONG AND SELF SUPPORTING FAMILIA...

SEC-II: ALL MEMEERS WILL WORK SOLELY FOR THAT OBJECTIVE AND PUT ALL PERSONAL GOALS AND FEELINGS ASIDE UNTIL SAID FULLFILLMENT IS ACCOMPLISHED...

- SEC III: A FAMILIANO WILL NOT BE RELEASED FROM HIS OBLIGATIONS TOWARDS THE ORGANIZATION BECAUSE HE IS BEING RELEASED FROM PRISON. BUT WILL BE EXPECTED TO WORK TWICE AS HARD TO SEE THAT A FAMILIA IS ESTABLISHED AND WORK IN HAND WITH THE ORGANIZATION ALREADY ESTABLISHED BEHIND THE WALL'S (PRISON)...
- SEC IV: A FAMILIANO WILL REMAIN A FAMILIANO MEMBER UNTIL DEATH OR OTHERWISE DISCHARGED FROM THE ORGANIZATION, HE WILL ALWAYS BE SUBJECT TO PUT THE INTEREST OF THE ORGANIZATION FIRST AND ALWAYS ABOVE EVERYTHING ELSE IN PRISON OR OUT...
- SEC V: AN AUTOMATIC "DEATH" SENTENCE WILL BE PUT ON A FAMILIANO THAT TURNS TRAITOR, COWARD OR DESERTER. UNDER NO OTHER CIRCUMSTANCE WILL A BROTHER FAMILIANO BE RESPONSIBLE FOR SPILLING THE BLOOD OF A FELLOW BROTHER FAMILIANO, TO DO SO WILL BE CONSIDERED AN ACT OF TREASON...
- SEC VI: IN ORDER SO (ART. II SEC. V) CAN BE INVOKED, THE REGIMENTAL GOVERNING BODY WILL HOLD A VOTE AMONG THEMSELVES AND PASS SENTENCE, MAJORITY RULE. IN CASE OF A TIE VOTE THE DECISION WILL LIE WITH THE CAPITAN, HIS DECISION WILL BE FINAL...
- SEC VII: ALL PRESENT FAMILIANOS IN SAID ORGANIZATION (NUESTRA FAMILIA) WILL ACKNOWLEDGE SAID CONSTITUTION UPON READING IT AND WILL BE HELD RESPONSIBLE FOR HIS ACTIONS IF SAID CONSTITUTION IS NOT FOLLOWED...

III

ARTICAL III: REGIMENTAL COMMANDER CAPITAN.

- SEC I: A CAPITAL IS THE REGIMENTAL COMMANDER OF LA NUESTRA FAMILIA AND HOLDS THE RANK JUST BELOW EL NUESTRO GENERAL. THIER (CAPITANS) RESPONSIBIBITIES ARE TO LEAD AND DIRECT NUESTRA FAMILIA REGIMENTS UNDER HIS CARE TO SUCCESSFULLY ACCOMPLISH THE GOALS SET FORTH IN (ART II, SEC I II)...
- SEC II: FOR THIS PURPOSE HE (CAPITAN) SHALL HAVE THE CHOICE OF SELECTING HIS OWN LT'S AND SHALL HAVE THE POWER TO DISMISS THEM (LT'S) IF HE (CAPITAN) FEELS THAT THEY ARE NOT ACCEPTING OR HANDLING RESPONSIBILTIES OF LEADERSHIP. IN PEACE TIME A DISMISSED LT. HAS AN OPTION TO INVOKE (ART. I, SEC. V)...
- SEC III: DUE TO CIRCUMSTANCES BEYOND OUR CONTROL, IT MAY BE THAT THIER WILL BE MCRE THAN ONE CAPITAN IN A REGIMENT AT ONE TIME, IF A CAPITAN IS TRANSFERRED FROM ONE FAMILIA REGIMENT TO ANOTHER WHERE THERE IS ALREADY A CAPITAN, THE CAPITAN WITH THE HIGHEST RANK WILL TAKE COMMAND AND THE OTHERS WILL BE IN RESERVES ACCORDING TO THIER RANKS...

- SEC IV "A":CAPITAN'S WILL HAVE GRADES OR RATING OF 1st, 2nd, 3rd AND SO FORTH AS (ART III, SEC. III) CAN BE INVOKE; ALSO THE LOWER NUMBER RATING THE GREATER THIER AUTHORITY; NO CAPITAN CAN OVER RIDE OR CONTRADICT THE ORDERS OF A HIGHER RANKING COMMANDER, WITHOUT DIRECT ORDERS FROM EL NUESTRO GENERAL...
- SEC IV B: WHENEVER NUESTRO GENERAL BECOME'S INCOMMUNICADO AND CANNOT SUPERVISE HIS CAPITANS, THE 1st CAPITAN OR COMMANDER OF LA NUESTRA FAMILIA WILL HAVE THE RESPONSIBILITY TO SEE THAT EACH CAPITAN OF SAID ORGANIZATION WORKS AND GOVERNS WITH-IN THIS CONSTITUTION...
- SEC-IV-C: ALL OTHER CAPITANS IN A REGIMENT OTHER THAN THE GOVERNING CAPITAN WILL BE CLASSIFIED AS RESERVES AND WILL ACT AS ADVISORS, ALTHOUGH THEY WILL NOT HOLD ANY POWERS AS TO THE RUNNING OF THE REGIMENT...
- SEC V: THERE SHALL NEVER BE MORE THAN TEN (10) CAPITANS IN THIS ORGANIZATION (LA NUESTRA FAMILIA) AT ANY ONE TIME, THIS INCLUDES RESERVES, IF THIER ARE ALREADY TEN (10) CAPITAN IN THE ORGANIZATION AND A REGIMENT IS WITHOUT A CAPITAN DUE TO (ART. III, SEC III) THE 1st LT. WILL RUN THE FAMILIA REGIMENT TEMPORARLY UNTIL A COMMANDER ARRIVES OR THERE IS AN OPENING IN THE RANKS OF CAPITANS...
- SEC VI: THE RESERVE CAPITAN WILL ONLY TAKE POWER IF THE GOVERNING CAPITAN IS DOWNED, TRANSFERRED, OR IS DISCHARGED BY EL NUESTRO GENERAL. IT WILL BE THE DUTY OF THE GOVERNING COMMANDER TO TAKE THE RESERVE CAPITANS UNDER HIS GUIDANCE AND SHOW HIM THE INTERNAL FUNCTIONS OF THE REGIMENT, IN ORDER SO THAT THE RESERVE CAPITAN WILL BE QUALIFIED TO GOVERN THE REGIMENT IF THE NEED ARISES...
- SEC VII: ALL CAPITANS WILL HOLD EQUAL RANK AND THEREFORE ONE CANNOT ORDER THE OTHER, EXCEPT UNDER (ART.III SEC. IV "B") OR WHERE THE RESERVE CAPITAN IS HINDERING WITH THE RULES AND ORDER'S THAT THE GOVERNING CAPITAN HAS SET FORTH, FOR THE EFFICIENTLY RUNNING OF LA FAMILIA, IN THAT CASE THE RESERVE CAPITAN WILL SIEZE TO INTERFERE OR HE WILL BE BROUGHT BEFORE NUESTRO GENERAL...
- SEC. VIII: THE RESERVE CAPITAN HAS ONLY AS MUCH POWER AS THE GOVERNING COMMANDER WANTS TO BESTOW ON HIM AND NOT MORE. THE FAMILIA BODY SHOULD AT ALL TIMES KNOW THE STRUCTURE OF THE RESERVE CAPITAN...
- SEC-IX: IN "WARTIME" THE CAPITAN IS SOLELY ANSWERABLE TO THE NUESTRO GENERAL, AND NO FAMILIANO SOLDADO SHALL QUESTION THE ORDERS SET FORTH BY HIM PERSONALLY OR THRU ONE OF HIS TENIENTES (LTS) TO QUESTION SAID ORDERS COULD BE

CONSIDERED A "TREASONAL ACT" AS OUTLINED (ART II SEC V) DEPENDING UPON THE SERIOUSNESS OF THE OFFENSE, WHICH WILL LIE WITH THE CAPITAN TO DETERMINE...

SEC-X: IN PEACETIME AS IN "WARTIME" THE CAPITAN IS ANSWERABLE TO THE NUESTRO GENERAL, HOWEVER IN PEACETIME, IF A (FAMILIANO SOLDADO) FEELS THAT THE POWER OR POWERS OF THE STRUCTURE IN HIS REGIMENT IS MIS-USING THEIR APPOINTED AUTHORITY AGAISNT HIM DUE TO CONFLICT IN PERSONALITYS, HE HAS A RIGHT AS A HONORABLE MEMBER OF THIS ORGANIZATION TO APPEAL TO THE SUPREME COMMANDER EL NUESTRO GENERAL (ART I, SEC V)...

SEC-XI: THE CAPITAN SHALL BE RESPONSIBLE FOR THE WALFARE AND LIVES OF THE SOLDADOS UNDER HIS COMMAND AT ALL TIMES, AND THERE SHALL BE NO SUICIDAL MISSIONS ORDERED BY THE CAPITAN. A SUICIDAL MISSION SHALL BE TRANSLATED AS AN ACT WHERE THE SOLDADO HAS NO CHANCE OF SURVIVAL...

SEC-XII: THE CAPITAN WHERE THE NUESTRO GENERAL HAS HIS HEADQUARTERS SHALL BE HELD RESPONSIBLE IF ANYTHING SHOULD HAPPEN TO THE NUESTRO GENERAL. IT WILL BE THE DUTY OF THE CAPITAN TO PERSONALLY SEE THAT TWO (2) OF HIS BEST WARRIORS SHALL BE WITH THE NUESTRO GENERAL WHENEVER POSSIBLE, IF THE NUESTRO GENERAL IS DOWNED, THE CAPITAN WILL BE STRIPPED OF ALL RANK AFTER THE "STATE OF WAR" IS OVER (ART I, SEC IV "A")

IV

ARTICLE IV FUNCTIONS AND QUALITIES DE UN TENIENTE.

SEC-I: A TENIENTE IS THIRD IN THE POWER LADDER OF LA NUESTRA FAMILIA, HE IS UNDER THE CAPITAN, HE'S THE REPRESENTATIVE OF THE (NUESTRA FAMILIA) AS HE WILL BE IN CONTACT WITH ALL FAMILIANOS AT ALL TIMES AND THEREFOR HE SHOULD AT ALL TIMES SET A GOOD EXAMPLE FOR THE SOLDADOS TO FOLLOW...

SEC-II: HE SHALL BE RESPONSIBLE FOR THE BUILDING OF THE FAMILIA ARSENAL, AND SHALL HAVE NO LESS THEN TWO (2) WEAPONS PER SOLDADO IN THE REGIMENT...

SEC-II "A": WHILE IN A "STATE OF WAR" AND THE ARMS QUOTA DROPS BELOW THE SPECIFIED REQUIREMENT, IT SHALL BE FIRST PRIORITY OF THE TENIENTES (LTS) TO RESTORE IT TO PAR AS OUTLINED IN (ART, IV - SEC, II)...

SEC-III: EACH TENIENTE SHALL HAVE A CERTAIN NUMBER OF SOLDADOS ASSIGN HIM, HE SHALL BE RESPONSIBLE FOR THIER SCHOOLING, BASIC NEEDS AND CONDUCT...

- SEC III "A": WHENEVER ONE OR ALL HIS "SOLDADOS" GO INTO COMBAT WITH ANY OF THE ENEMIES OF LA NUESTRA FAMILIA, HE (LT.) SHALL PRESENT THE CAPITAN WITH A FULL REPORT ON WHAT OCCURRED...
- SEC IV: THE TENIETES SHALL HAVE RATING OF (1st, 2nd 3rd) THIS RATING SHALL BE GIVEN TO THEM BY THE CAPITAN ACCORDING TO EHIER EXPERIENCE AND LEADERSHIP ABILITYS...
- SEC V: IT SHALL BE THE DUTIES OF THE TENIENTES TO KEEP A RECORD OF ALL KNOWN NAMES AND NUMBERS OF THE ENEMIES OF LA NUESTRA FAMILIA, EACH DAY HE SHALL CHECK ALL PERSONS BEING TRANSFERRED TO HIS TERRITORY AND CHECK AGAINST RECORD BOOK AND MAKE A REPORT TO HIS CAPITAN...
- SEC. V "A": ALL TENIENTES SHALL QUESTION ALL NEW FAMILIANOS ASSIGNED TO HIM FOR INFORMATION AS TO UNKNOWN ENEMIES OF LA NUESTRA FAMILIA, NEW INFORMATION SHALL GO INTO THE RECORD BOOKS, AND WHENEVER ONE OF HIS SOLDADOS IS TRANSFERRED TO ANOTHER PINTA, A COPY OF THE RECORD BOOK SHALL BE SENT WITH THE SOLDADO...
- SEC V "B": I SHALL BE THE RESPONSIBILITY OF THE TENIENTES TO INFORM THE CAPITAN OF THE DEPARTURE OF ONE OF HIS SOLDADOS IN ORDER THAT THE FAMILIA OF THE OTHER REGIMENT SHALL BE INFORMED...

V

ARTICLE V FAMILIANO SOLDADO..

- SEC. I: ALL REQUEST FOR MEMBERSHIP INTO THIS ORGANIZATION SHALL BE MADE TO THE CAPITAN, ANY MEMBER CAN MAKE SUCH A REQUEST FOR AN INDIVIDUAL PROVIDING SUCH REQUESTING FAMILIANO WILL ACCEPT THE FULL RESPONSIBILITY OF SAID INDIVIDUAL...
- SEC. II: FINAL DECISION FOR MEMBERSHIP SHALL NOT BE MADE UNTIL THIRTY (30) DAYS HAVE ELAPSED FROM SUCH REQUEST, AND THE GOVERNING BODY OF THE REGIMENT MUST APPROVE THE REQUEST FOR NEW MEMBERSHIP...
- SEC. III: NO APPLICANT WILL BE GRANTED FOR MEMBERSHIP IF HE (THE APPLICANT) MISREPRESENTS HIS QUALIFICATIONS, ALSO ONCE A MEMBER AND SOLDADO AND HE MISREPRESENTS HIS ACTIONS IN BATTLE FOR THE BENEFIT OF MAKING HIS ACTIONS SEEM MORE VALOR, HE WILL BE SUBJECT TO BE DISCIPLINED UNDER (ART. VI SEC. V "B") A MINOR OFFENSE OR (ART. II SEC. V) EXPELLED FROM THIS ORGANIZATION, DEPENDING UPON THE CIRCUMSTANCES AND SERIOUSNESS OF THE LIE...

SEC. IV: MEMBERSHIP OF THIS ORGANIZATION SHALL BE RESTRICTED ONLY TO THOSE OF LATIN EXTRACTION; NO MAXIMUM OR MINIMUM SHALL BE INVOKED BY THIS CONSTITUTION IN SO FAR AS MEMBERSHIP INTO THIS ORGANIZATION IS CONCERNED, HOWEVER SUCH LIMITATIONS MAY-BE ESTABLISHED BY NUESTRO GENERAL AS DEEMED NECESSARY TO MAINTAIN PROPER CONTROL, ALTHOUGH OTHER EXTRACTIONS (RACE) WILL BE CONSIDERED WITH THE CONSENT OF BOTH THE CAPITAN AND NUESTRO GENERAL...

ARTICLE VI DISCIPLINE AND CONDUCT.

- SEC. I: THE REGIMENTAL CAPITAN SHALL PASS SENTENCE FOR ALL MINOR INFRACTIONS OF CONDUCT, IN "WAR TIME" THERE WILL BE NO APPEAL TO THE NUESTRO GENERAL...
- SEC. II: PUNISHMENT SHALL BE ADMINISTOR BY THE REGIMENTAL TENIENTES (ART. IV SEC. III) OR BY THE REGIMENT AS A WHOLE, WHEN SO ORDERED BY THE FAMILY CAPITAN...
- SEC. III: ALL FAMILIANOS SHALL BE SUBJECT TO DISCIPLINARY ACTION OR IMMEDIATE EXPULSION FROM THIS ORGANIZATION (ART. II, SEC V) FOR MISCONDUCT OR BEHAVIOR UNBECOMING A MEMBER, SAID CONDITION SHALL PREVAIL WITH REGARDS TO THE INDIVIDUAL, TOWARDS ANOTHER MEMBER, THE ORGANIZATION AS A WHOLE OR HIS SUPERIORS...
- SEC IV: UNDER NO CONDITION WILL THERE BE ANY FIGTHING BETWEEN FAMILIANOS, TO DO SO WILL BRING ON DISCIPLINARY ACTION AND IF BLOOD IS SPILLED IT WILL RESULT IN THE EXPULSION OF ONE OR ALL PARTYS INVOLVED (ART II, SEC V)...
- SEC V: EVERY MEMBER OF THIS DAID ORGANIZATION (NUESTRA FAMILIA) WILL ALWAYS SHOW PROPER RESPECT TO A BROTHER FAMILIANO BOT IN WORDS AND IN ACTIONS...
- SEC. V "A" NO MEMBER OF THIS SAID ORGANIZATION SHALL PUT MATEREAL THINGS, WHETHER IT BE DRUGS, MONEY, OR WOMEN (OR PUNKS AS RELATES TO THE PINTA) BEFORE THE BEST INTEREST OF LA NUESTRA FAMILIA OR A BROTHER FAMILIANO...
- SEC. V "B": NO FAMILIANO SHALL LIE ABOUT HIS POSITION OR RANK IN LA NUESTRA FAMILIA. NOR WHEN DISCUSSING FAMILIA BUSINESS TO A SUPERIOR OR TO A BROTHER MEMBER SHALL THERE BE ANY LYING OR GIVEN OF FALSE IMPRESSIONS...
- SEC. VI: IT IS THE SACRED DUTY OF A FAMILIANO GUERRERO TO DO BATTLE FOR LA NUESTRA FAMILIA AND NO SOLDADO SHOULD FEEL THAT BECAUSE HE FOUGHT FOR HIS ORGANIZATION THAT HE IS ENTITLED TO SPECIAL PRIVILEGES, ALL THAT MATTERS IS THAT YOU AS A GUERRERO DE LA NUESTRA FAMILIA ARE LIVING UP TO YOUR RESPONSIBILITIES. REMEMBER THAT A TRUE GUERRERO DOESNT NEED TO BOAST OF HIS ACHIEVEMENTS...

- SEC. VII: AS OF NOW THE STANDARD ANSWER FOR A FAMILIANO WHEN HE IS ASKED BY ANY COUNTY, STATE OR FEDERAL AUTHORITYS IF (HE) IS OR IF (THERE) IS ANY ORGANIZATION KNOWN TO EXIST IN THE PINTAS THE ANSWER IS NO....
- SEC. VIII: UNDER NO CIRCUMSTANCES IS ANY PORTION OF THIS SAID CONSTITUTION TO BE ALTERED WITHOUT A MEETING CONSISTING OF EL NUESTRO GENERAL AND ONE THIRD (1/3) OF HIS CAPITANS STAFF. NOR SHALL A FAMILIANO PUT THIER OWN INTERPRETATIONS UPON SAID CONSTITUTION, IS TO BE READ IN ITS ENTIRELY ALL SECTIONS THAT RELATE TO ONE CONCEPT ARE TO BE READ AS ONE...

-FIN-

APPENDIX C

SUB-DIVISION OF CONSTITUTION
"ADAPTATION FOR STREET USE ONLY"

THE BUILDING UP OF THIS ORGANIZATION IN THE OUTSIDE, WILL BE DONE IN THREE (3) STEPS.

ARTICLE. I.
SEC. I,

THE FIRST STEP WILL CONSIST OF ESTABLISHING A SELF-SUPPORTING FAMILIA (REGIMENT), EACH FAMILIA WILL BE RUN BY A RANK EQUAL TO A LT. THIS FAMILIA SHALL HAVE A BANK WITH A BASIS OF NOT LESS (1,000) ONE THOUSAND DOLLARS AND SHALL HAVE BOUGHT INTO BUSINESS'ES IN PART OR WHOLE.

SEC. II,

THE (REGIMENT) OR FAMILIA BANK, WILL BE RESPONSIBLE FOR ALL FINANCIAL MATTERS THAT OCCUR WITHIN IT'S OWN TERRITORY (FAMILIA) TOWN OR PERTAINING TO IT'S OWN BUSINESS VENTURES, ALSO THE PAY ROLL FOR THE FAMILIA. THE LT. AND THE SOLDADOS, SHALL FALL UNDER IT'S JURISDICTION ANY FAMILIANO OF THE FAMILIA-(REGIMENT) WHO DUE TO A MISSION, FINDS HIMSELF IN NEED OF A LAWYER, DOCTOR OR BAIL, THE BANK THAT IS SUPPORTING THE VENTURE WILL BE OBLIGATED TO FURNISH HIM WITH THESE ITEM'S. THE FAMILIA BANK, JUST LIKE THE MAIN BANK, WILL BUY INTO LEGAL BUSINESS'S BUT UNLIKE THE MAIN BANK IT WILL HAVE NO RESTRICTION ABOUT THE ILLEGALITY OF SUCH PLACES. ALL THE PROFITS THAT DERIVE'S FROM A FAMILIA BUSINESS WILL GO INTO THE FAMILIA BANK AND FROM IT WILL BE DISTRIBUTED TO IT'S VERIOUS FUNCTIONS..

SEC. III,

THE FAMILIA LT. SHALL LEAD AND DIRECT THE REGIMENT TO FULFIL THE GOALS SET FORTH ON THIS SUB-DIVISION OF THE CONSTITUTION AND THE CONSTITUTION. HE (LT) SHALL SEE THAT ALL VENTURES UNDERTAKEN ARE PLANNED EFFECIENTLY AND WITH FORESIGHT HE (LT) SHALL BE IN CHARGE OF THE FAMILIA BANK, AND SEE THAT IT FUNCTIONS AS DESCRIBED IN (ART. I, SEC. II S.D.)

SEC. IV,

FAMILIA SOLDADOS AT FIRST WILL BE EXPECTED TO MAKE SACRAFICES IN SO FAR AS WHEN HE COMMITS AN ILLEGAL VENTURE ALL THE PROFITS WILL GO INTO THE FAMILIA BANK, THIS SHOULD BE UNTIL THE BANK IS STRONG ENOUGH TO BUY INTO IT'S FIRST BUSINESS. ONCE THIS IS ACCOMPLISHED THE SOLDADOS CAN EITHER BE PAID ON COMMISSION BASIS OR BY PAY SCALE, THE DISCRATION WILL BE ON THE FAMILIA (LT), UNTIL STEP THREE (3) IS IN EFFECT.

SEC. V,

MANDATORY RULES AND REGULATIONS FOR ALL FAMILIANOS ON ACTIVE SERVICE IN THE STREETS.
(I). NEITHER RANK OR FILE FAMILIANOS SHALL TAKE NARCOTICS OR ANY OTHER HABIT FORMING DRUGS.
(II). ALL ACTIVE RANK AND FILE FAMILIANOS WILL BE EXPECTED TO HAVE A LEGAL JOB, EITHER WITHIN THE ORGANIZATION LEGITIMATE BUSINESS'ES OR OUTSIDE THE ORGANIZATION.

- (3). NO HEAVY EXCESS DRINKING, WHILE ON DUTY.
- (4). NO FAMILIANO SHALL UNDERTAKE HIS OWN PERSONAL VENTURE WITHOUT THE AUTHORIZATION FROM HIS SUPERIOR.

SEC. VI, UPON A FAMILIANO REACHING HIS FIFTYTH BIRTHDAY AND HAS GIVEN AT LEAST TWENTY YEARS OF LOYAL AND DEDICATED SERVICE, HE SHALL BE GIVEN AN ALTERNATIVE WHETHER HE WANTS TO REMAIN IN ACTIVE SERVICE OR WANTS TO GO INTO SIMI-RETIREMENT, MEANING THAT HE WILL BE PUT TO MANAGING ONE OF THE MAIN BANK BUSINESS'ES AND WILL HAVE NOTHING TO DO WITH ILLEGAL ACTIVITIES. HOWEVER IN TIME OF WAR, HE MAY BE CALLED BACK INTO ACTIVE SERVICE BY NUESTRO GENERAL. IF SAID FAMILIANO HAS'NT GOT THE MENTAL CAPACITY FOR A MANAGEMENT JOB, HE WILL BE GIVEN SOME OTHER WORK WITH SOME AUTHORITY, WITHIN THE BUSINESS'ES OF THE MAIN BANK.

ARTICLE II.

SEC. I, THE SECOND STEP WILL BE TO ESTABLISH THE MAIN BANK AND THE REGIMENTAL CAPTAIN'S. EACH REGIMENT CAPTAIN WILL HAVE SEVERAL FAMILIA (REGIMENT; UNDER HIM, DEPENDING ON THE AMOUNT OF ACTIVE FAMILIA'S UNDER THIS STRUTURE AT THE TIME.

SEC. II, THE MAIN BANK WILL HAVE THE DUO FUNCTIONS OF BEING A RESERVE IN CASE OF AN EMERGENCY FOR THE FAMILIA BANKS AND ALSO TO BUY INTO LEGITIMATE BUSINESS. THE FIRST FUNCTION CONSIST OF HAVING THE RESPONSIBILITY OF SUPPORTING ALL WARS DECLARED BY EL NUESTRO GENERAL. ALL EXPENSE'S THAT GO INTO THE ORGANIZATION IN THE PRISON SYSTEM. ALL EXPENSE'S FOR A FAMILIANO SENT ON MISSION OUTSIDE THE TERRITORY OF HIS HOME FAMILIA, UNLESS SAID MISSION IS A MONEY MAKING VENTURE (IN WHICH CASE THE HOME FAMILIA OF THAT SOLDADO WILL PAY ALL EXPENSE'S). IT WILL BE USED FOR THE PRIMARY EXPENSE'S OF BUILDING UP A NEW FAMILIA (REGIMENT) AND AS THE SOURCE FOR THE PAYROLL OF THE REGIMENTAL CA¹/₄TACMS AMD NUESTRO GENERAL.

SEC. II-A, THE SECOND FUNCTION OF THE MAIN BANK, WILL BE TO BUY INTO LEGITIMATE BUSINESS'S BUT WILL ALWAYS HAVE ENOUGH CASH RESOURCE'S TO MEET ANY EMERGENCY THAT THE FAMILIAS BANK MAY HAVE. ALL BUSINESS BRING UNDER THE JURIDICITION OF SAID BANK (MB.) WILL BE KEPT STRICTLY LEGAL AND NO ILLEGAL ACTIVITIES WILL BE CONNECTED FROM THESE PRIMISE'S. NOR WILL THEY BE USED FOR STORAGE OF ILLEGAL ITEM'S. THE PROFITS FROM THESE LEGITIMATE BUSINESS'S, ONE THIRD (1/3) WILL GO BACK TO THE MAIN BANK AND THE REST WILL GO FOR THE UP DATING OF THESE BUSINESS'S OR TO ESTABLISH OTHER BUSINESS'S.

- SEC. II-B, IN ANY EMERGENCY, THE MAIN BANK CAN CONFISCATE CASH MONEY FROM THE FAMILIAS BANKS, AS NEEDED TO COMBAT THE CRISE'S BUT IT WILL BE THE RESPONSIBILITY OF SAID BANK TO REPAY ALL CASH MONEY BACK TO THE FAMILIA BANK. THE ONLY EXCEPTION TO THIS RULE OF REIMBURSEMENT IS WHEN THE EMERGENCY IS WAR.
- SEC. III, THE REGIMENTAL CAPTAIN AS IN (ART. II, SEC. I S.D.) WILL HAVE SEVERAL FAMILIA'S UNDER HIS CARE, HE WILL SEE TO IT THAT THEY FUNCTION WITHIN THE FRAME WORK OF THIS STRUTURE, HE SHOULD BE THE COMMUNITION LINK BETWEEN THE FAMILIA LT'S, AND NUESTRO GENERAL. HE WILL ALSO BE RESPONSIBLE FOR THE TRANSFERING OF MONEY FROM ONE BANK TO ANOTHER, UPON THE ORDERS OF NUESTRO GENERAL. SECURITY FOR THE FAMILIA'S UNDER HIS CARE SHALL ALSO FALL UNDER THE JURISDICTION OF THE REGIMENTAL CAPTAIN.
- ARTICLE. III.
SEC. I, THE THIRD STEP WILL ONLY BE ACTIVATED WHEN THE ORGANIZATION HAS ACCOMPLISHED THE TWO PRIOR STEOS (ART. I, SEC. I. S.D.) AND (ART. II, SEC. I, S.D.) AND IF THE AUTHORITY IN THE PINTAS (EL NUESTRO GENERAL) FEELS THAT THE OUTSIDE COUNTER-RART OF THIS ORGANIZATION IS STRONG ENOUGH TO SET UP UNDER THOSE OWN GOVERNMENT AND IN WHICH HE. (N.G.) WILL INSTRUCT THE REGIMENTAL CAPTAINS TO ACTIVATED STEPS THREE (3).
- SEC. II, ALL THE CAPTAINS OF THIS ENTIRE ORGANIZATION (STREET OR PINTA) WILL CAST A VOTE ON ONE OF THE ACTIVE REGIMENT CAPTAINS IN ORDER TO PICK A STATÉGIC ADVISOR IN CASE OF TIE, THE NUESTRO GENERAL WILL CAST THE DECIDING VOTE. ONCE THIS APPOINTED HAS BEEN MADE THE ORGANIZATION WILL BE IN THE THIRD AND FINAL STEP OF THE STRUCTURE.
- SEC. III, THIS POSITION OF STRATEGIC ADVISOR WILL ONLY EFEC THE ORGANIZATION OUTSIDE AND HE WILL HAVE NO POWER'S TO CHANGE OR ALTER IN PART OR WHOLE, THE CONSTITUTION OR IT'S SUB-DIVION. HIS RESPONSIBILITY WILL BE TO GUIDE THE ORGANIZATION IN THE STREETS TO ACCOMPLISH A SPECIFIED GOALS SET DOWN BY THE CONSTITUTION AND ALSO THAT THE MAIN BANK OPERATES AS SPECIFIED IN THE SUB-DIVION OF THE CONTITUTION, FOR THIS PURPOSE HE SHALL HAVE CONTROL OVER THE MAIN BANK (WITHIN ART. III, SEC. VI.)...
- SEC. IV, IF THE STRATEGIC ADVISORS IS NOT CAPABLE OF HOLDING DOWN THE RESPONSIBILITIES OF THE POSITION. EL NUESTRO GENERAL WILL ORDER ANOTHER ELECTION TO BE HELD. UPON RECEIVING WORD FROM NUESTRO GENERAL OF RE-ELECTION, THE REGIMENTAL CAPTAINS WILL AUTOMATICALLY PLACE THE ENTIRE ORGANIZATION FUNCTIONING UNDER (STEP TWO OF THE STRUTURE). UNTIL ANOTHER KEEPER OF THE MAIN BANK CAN BE APPOINT, IF THERE IS NO DISCIPLINARY CHARGE AGAINST THE OTHER STRATEGIC ADVISOR, HE WILL RETAIN HIS RANK OF REGIMENTAL CAPTAIN AND WILL BE PUT IN THE VACATED (R.C.) POSITION.

- SEC. V, IF A STRATEGIC ADVISOR IS PUT OUT OF COMMUNICATION BY ANY LAW AGENCY, AUTOMATIC THE ORGANIZATION WILL FALL BACK OPERATING UNDER (STEP TWO) OF THE STRUTURE. IF SAID INCOMMUNICADO IS FOR A DURATION OF SIX (6) MONTHS OR LONGER, HIS POSITION OF S.A.) WILL BE ANNUALED AND ELECTIONS FOR A NEW STRATEGIC ADVISOR WILL BE CALLED. THE INCOMMUNICADO ADVISOR WILL RESUME HIS FORMER RANK OF (R.C.).
- SEC. VI, IN ORDER FOR THE STRATEGIC ADVISOR TO WITHDRAW A SUM OVER TEN-THOUSAND DALLORS IN ONE LARGE SUM, A SECURITY CHECK WILL BE MADE BY THE SECURITY DEPARTMENT AND IT'S FINDING WILL BE REPORTED TO EL NUESTRO GENERAL OR IF NUESTRO GENERAL IS INCOMUNICADO TO THE (1st) CAPTAIN FOR A DECISION.
- SEC. VII, AS SO (ART. III, SEC. VI) CAN BE ACTIVATED A REGIMENTAL CAPTAIN OTHER THEN THE STRATEGIC ADVISOR WILL MAKE THE CLEARANCE CHECK AND REPORT HIS FINDING AS OUT-LINE.
- SEC. VIII, ANY FAMILIANO WITH COMING INTO THE PENITENTIARY WILL AUTOMATICALLY HAVE HIS RANK SUPENDED, UNTIL AN EVALUATION CAN BE MADE ON WHETHER HE CAN FUNCTION UNDER THAT RANK WITHIN THE PRISON SYSTEM.
- SEC. VIII, B, IN CASE OF A REGIMENTAL CAPTAIN, A CONFIRMATION AS TO HIS RANK WILL BE MADE BY THE FIRST (1st) CAPTAIN OR DIRECTLY BY NUESTRO GENERAL.
- SEC. VIII, A, IN CASE OF A LT. VERIFICATION AS TO HIS RANK CAN BE MADE BY A CAPTAIN OF THE LA NUESTRA FAMILIA FUNCTIONING UNDER THE PRISON SYSTEM ORGANIZATION.
- ARTTICLE. IV,
SEC. I, NUESTRO GENERAL MAY DRAW UP TO 10,000, TEN-THOUSAND DOLLARS FROM THE MAIN BANK AT ONE TIME, AFTER THE INITIAL WITHDRAW ALL HE (NUESTRO GENERAL) WON'T BE ABLE TO REMOVE ANY MORE MONEY UNTIL A SECURITY CHECK IS MADE AS TO WHERE THE MONEY IS GOING TO AND IF IT'S TO THE BEST INTEREST OF THIS ORGANIZATION.
- SEC. II, IN A CASE WHERE NUESTRO GENERAL IS GOING TO NEED ANY SUM OVER TEN-THOUSAND (\$10,000) DALLORS. AT ANY ONE TIME. HE (NUESTRO-GENERAL WILL REQUEST THE SECURITY DEPARTMENT F CLEARANCE AT LEAST FIVE WORKING DAYS, BEFORE THE ACTUAL WITHDRAW ALL IS SCHEDLED TO BE MADE. AT NO TIME IS A SUM EQUIVALENT TO HALF THE MONEY IN THE MAIN BANK, IS TO BE DRAWEN AT ONE TIME.

- SEC. III, IF THE SECURITY DEPARTMENT DENYS, NUESTRO GENERAL REQUEST FOR ANY AMOUNT OVER TEN-THOUSAND (10,000) DOLLARS. IN WHICH CASE EL NUESTRO GENERAL HAS THE OPTION TO CALL FOR A VOTE FROM ALL THE CAPTAINS (INSIDE PRISON OR OUTSIDE) IN THIS ORGANIZATION, ON THIS PARTICULAR ISSUE.
- SEC. IV, IN ORDER SO (ART. IV, SEC, III S.D.) CAN BE INVOKED THE FOLLOWING NUESTRA FAMILIA POSITIONS OF AUTHORITY WILL HAVE ONE VOTE EACH. THE (1st) CAPTAIN, THE STRATEGIC ADVISOR, THE REGIMENTAL CAPTAINS AND ALL ACTIVE AND RESERVE CAPTAINS, IN A DEAD LOCK, EL NUESTRO GENERAL WILL HAVE A VOTE. THE RESULTS OF THIS VOTING WILL BE FINAL.
- SEC. V, THE SECURITY DEPARTMENT WILL BE A BRANCH FROM THE ONE ESTABLISHED IN THE PRISON SYSTEM, UNDER THE (1st) CAPTAIN. FOR THE INVOKEMENT OF (ART. IV, SEC.II, S.D.) THE STRATEGIC ADVISOR WILL RUN A SECURITY CHECK AND WILL PRESENT THE FACTS BEFORE THE SECURITY DEPARTMENT (REGIMENT CAPTAIN) FOR A DECISION, IF NO DECISION CAN BE REACHED, THE (1st) CAPTAIN WILL BE REACHED AND HIS DECISION WILL BE FINAL.
- SEC. VI, IT WILL BE THE RESPONSIBILITY OF THE STRATEGIC ADVISOR, TO SEE THAT A COMMUNICATION CHANNEL IS ALWAYS OPEN TO THE (1st) CAPTAIN AND ALSO TO ALL THE CAPTAINS OF THIS ORGANIZATION.
- SEC. VII, THIS SUB-DIVISION IS PART OF THE CONSTITUTION AND EACH FAMILIA UNDER THIS SUB-DIVISION IS AUTOMATIC UNDER THE OTHER AND WILL HONOR THE LAWS OF BOTH.

YOUTH GANG WARFARE

A PRESENTATION TO

Senator George N. Zenovich, Chairman
and Members of
the State Senate Select Committee
on Children and Youth

By Miguel Duran
Youth Services Division Chief
Department of Community Services
Los Angeles, California

November 14, 1975

1.

Senator George A. Zenovich, Chairman of the Senate Select Committee on Children and Youth, and distinguished members,

May I welcome you to Los Angeles in behalf of the Department of Community Services and the members of the Youth Services Division.

My name is Miguel Duran, Chief of the Youth Services Division.

My topic relates itself to Youth Gang Warfare.

Underlying Causes for Joining Gangs:

In some areas of Los Angeles a youngster doesn't seem to have any alternative but to belong to the gang in that neighborhood. He is born into it like his brothers and sisters before him and their parents before them. The parents see nothing wrong in belonging to the gang. What else is there? In the same breath they tell you that they are against violence; that there should be brotherhood.

If you go to a house party where there are elders in attendance, the men will generally talk about the "good old days." The "good old days" consist of experiences they had as members of a gang or what they did while they were in the army.

It is a great way to pass the time and break the ice with someone you just met.

Many unsuspecting parents move their family into the area because that area is the only one they can afford to live in. The children go out to play and make friends. Conditions of friendship are heaped on them. A youngster anywhere from ten years on up will be made aware of what is expected of him. If the conditions are not agreeable he may tell his parents. The parents are generally disbelieving, calling it "kid stuff". The children might complain a few times to the parents but when nothing happens they accede to the demands of imposed authority or the laws of the street. Once caught up in it, they might find it to their liking. If this happens, as new converts, they may become radical in thought and action. They live, will die, and kill for their new cause. The Barrios/ The Ghetto demands their loyalty and they give it. What else is there?

.2.

Who gives a damn about you? Your parents and your teachers? The Police? Society? What the hell is that? "Only my clique cares whether I live or die. When I'm with my Home-boys I am somebody."

The age level for a youngster to join and be accepted as a gang member is about ten years. He is ready to get out at about eighteen. The median age at which he causes the most trouble and brings the world down on his back at the same time is about fifteen-and-a-half.

If he is unfortunate enough to have joined a violent gang or one with a poor reputation, by the time he is eighteen he will have seen Juvenile Hall several times, Forestry Camp once or twice, Youth Authority and maybe even state prison. All in the name of that which he holds dear-his gang.

In the first paragraph we stated that a youngster is born into a gang or, because of pressure, joins it. Consider also:

1. An age where he is alienated by authority.

When we're kids we don't like adult imposition.

2. You seek your own kind.

I don't like school, I'm a Chicano. The fellows understand what I'm talking about.

3. What else is there to do?

There may be lots of things to do but they cost money or are illegal. Scouting and YMCA's Clubs might be available but only "squares" go there. Besides, adult authority tells you what to do.

What goes on during the time the fellows get together?

1. They talk a lot about nothing that's deep or profound to others but it's their reality.
2. They drink, drop pills, smoke grass-rarely openly, unless they want to show defiance or that they control the area.

3.

3. They socialize - party time is all the time. A few records and a few girls and you have a party.

4. They fight - they will tell you they don't look for it but they won't run from it. If the stuff comes down; they will go all out; to the death if necessary.

In spite of all the attention that gangs have received, very little has been done in a consistent manner to deal with the problem.

Gangs have proliferated from the 20's to the 70's. They seem to hit peak periods every ten years or so. Right now we are at a peak which has lasted for three years.

Why are youth gangs so attractive to the young? Especially in Los Angeles County?

The fact is that the reason for joining gangs is universal: Those same reasons I listed in prior paragraphs. - Can that be strange to anyone in this room regardless of where they come from or their color or economic circumstances?

Recent Cases

The County of Los Angeles has several policing agencies. They report homicides as being very high this year. Some 40 have been reported by the news media as being "gang" related. I believe that it is closer to 60.

But beyond the 60 murders there are hundreds of cases of maimings due to the ferocity with which they are willing to go at each other for their cause.

The following is an account from just one jurisdiction out of a possible 150.

This action took place over a period of two months. There were only two murders but please listen to the following cases of bodily assault:

- 2 - murders
- 9 - knifings
- 6 - fistfights
- 2 - assaults with baseball bats
- 19 - shootings
 - 1 - holdup with gun
 - 6 - robberies
 - 1 - grand auto theft
 - 1 - assault with pipes and chains
 - 1 - rape
 - 1 - assault with a brick
 - 1 - assault with a bottle

Where possible the gang as the assailant or victim was named in the report.

Multiply this activity by the other police jurisdictions and you get an idea of the immensity of this problem - even half is too much! The end result of all these assaults is that it rarely leaves the victim whole. The victim may never be the same again, meaning that he may be paralyzed for life, left blind, or otherwise physically incapacitated. Beyond that he remains scarred for life inwardly.

5.

He might decide on retaliation. If this occurs he may leave behind a trail of victims.

The following is a composite example of what I mean:

Johnny Goodguy attends a wedding shower party. During the course of the party some uninvited guests show up. They disrupt the party. Johnny is beaten for opposing them. As they leave they fling a challenge, "We're from the Brown Bloods, you know where we hang out. If you think you're bad, drop by."

Johnny who has had his guts spilled and his manhood stepped on remembers. He checks in with a few of his partners. That weekend they cruise the Brown Blood turf. They spot what looks like a house party and young people dressed in the uniform of the day. They slow the car down, roll down the window and Johnny pokes out a shotgun and fires.

When the reporters ask the police on the scene for an explanation they are told that it's another in a series of confrontations between the Brown Bloods and the Royals.

This time the Royals have gone too far. The count this night is one fifteen year old boy dead and two girls seriously injured. The reporter asks the policeman how he knows it was the Royals. The policeman answers that the crowd heard them shout it out as they drove off. Will it be difficult to trace the assailants? Not at all.

Later when these young men are apprehended and questioned they feel no real remorse. They do feel sadness: that of being caught up in something they can't get themselves out of.

"God I hate being in a gang!" "Well why don't you get out of it?"

6.

"Cut of it to what? The only way I'll ever get out is if my folks move a thousand miles away. But my parents aren't going to move. They can't afford it."

Recently a case was being tried in a court which is surrounded by several gangs. Two young men were on trial for shooting and critically wounding two youth whom they had never seen before but they believed to be rival gang members. During the court proceedings members of the gang which had been shot at came inside the court room disrupting the proceedings by openly challenging the defendants and anyone in the court room who might be friendly to them. The disruption boiled out into the waiting hall. The youth, including girls, were in a wild mood. Not even the presence of several police officers, probation officers and group workers slowed them down. Out in the parking lot more youth were waiting in ambush in case the court defendants were allowed out. The Judge suspended their bail and put them in protective custody.

Let me read a quote by Ron Bloomberg, a newscaster in Philadelphia, Pennsylvania, featured in an article, "Street Gangs Turn from Rumbles to Wanton Crime", which appeared in the July 7, 1975 issue of U.S. News and World Report. "Killing has been a way of life among this city's youth gangs for years. Last year 43 youngsters were slain and some 250 seriously injured. This has been about the annual average since 1969." He states that most of the violent gangs are Black and those killed or wounded are Black. He continues, "If we had been seeing 30 to 40 white youths killed every year from gang violence, the city wouldn't have tolerated it. It would have been stopped."

He, in Philadelphia, is saying what I believe to be the case here in Los Angeles. Those meeting violent death at the hands of their peers are not White, they are Blacks and Chicanos. It is a minority problem so why deal with it except in a superficial manner?

AMELIORATION OF THE PROBLEM

By now most people feel that amelioration of the problem created by gang members is all they can hope for.

They see no eradication of it. But those who cannot see the eradication are those who are not close to the gang and what causes it.

Another paper, another committee wishing to deal with eradication, indeed a commitment to it, would allow me to explore this further.

For now I present the following as a means for amelioration:

1. No new legislation is necessary. The negative activity happened yesterday and is happening today. Legislation for alleviation is three years away if at all. Dust off what legislation is available now and use it intelligently.
2. In the County of Los Angeles some 50 of the 78 incorporated cities have gang problems. This should be recognized and work begun on them whether they use city, county, state or federal funding.
3. In the unincorporated areas the County Board of Supervisors should take the lead. They can impact on the problem by recognizing existing youth serving agencies with the capacity to do the job and subsidize them.
4. If indeed this hearing and other hearings which have gone on before and those which will come after are held because a collective someone feels the gang as a problem has reached epidemic proportions, then I would urge, each time I am allowed to speak, that action take the place of hand wringing. I maintain that program planning should take place in the area of need with the so-called "needy" in on the planning. Further, that the planners, designers, researchers and analysts be paid less than the program implementers. At present the street worker is penalized;

His wages are poor, demands on his time excessive and expectations for results unreal. These conditions are known so do not attract highly qualified trainable people.

My observations, over a span of 20 years in the youth serving business are that planning programs are safe. Program implementation is dangerous. Has anyone ever gotten killed, punched in the mouth or fired for making a mistake putting together an organizational chart? While the program implementors, from the supervisor to the street worker, have known the feeling of weak knees, loose guts and broken jaws. A few have been buried and many more are called fools. Amelioration of the gang warfare problem in the County of Los Angeles can happen. I would say the following must take place:

1. Elected officials at local, state and federal levels who know Los Angeles County, must admit that it has reached epidemic proportions.
2. Commit to writing their willingness to cooperate 100% then appoint a responsible person to carry out that commitment.
3. An immediate evaluation of all private and public agencies who are receiving funds to do youth services or delinquency prevention:
 - 1.) That their revenue source be terminated if flagrant discrepancies are found.
 - 2.) That they be helped to bring their program up to standard.
 - 3.) That they be rated publicly if they are above standard.
4. That the "Department of Community Development" if it comes into existence in Los Angeles County be given the responsibility for overseeing the coordination of these agencies in view of the fact they receive CETA or Revenue Sharing Funds from the County.
5. That the responsibility for planning programs and the implementation of those programs along with the necessary budget and staff be given to department in the County who exist in order to carry out these specific Board Mandates.

9.

I have found that at the community level there is constant failure to effect positive change in youth behaviour and if there is change it does not remain constant.

Generally it is not the fault of the program or the plan of implementation. The fault seems to lie in the improper use of personnel.

Improperly trained staff and administrative mismanagement are the biggest reasons for the failure of most programs. Who gets the blame? The Community. Who gets the onus heaped on it? The Community.

I only know of two entities that sent their team of workers through intensive basic training before allowing them to go out into the streets. The City of Baldwin Park and Cleland House Community Center. Both had their training this year so there is no evaluation at this point. We submit that no army sends an inductee into a shooting scene before basic training; then why should we send in our street workers, indeed anyone who is going to deal with the problems of another human being without proper preparation?

I wonder if this committee is aware that there are no legal restrictions on who can be a community worker, or that any funded agency can operate without a license? The minute they receive a grant they are operational. Hiring restrictions are minimal.

If legislation is needed for anything it would be to oversee the licensing and/or credentialing of would be community workers. The Police have the best approach. A civilian, after intensive prior scrutiny, is sent to an academy. The end result is a Police Officer who knows who he is, who he works for, what his job is.

10.

There is no real money being spent on before-the-fact programs. "Established" after care agencies are the gopher holes down which most of the money is poured. Justification for these expenditures are statistically upheld. Alas, we in the field of delinquency prevention can't prove statistically that we saved anyone. Even though I produce someone who will testify in my behalf, they can be "shot down" because there's nothing empirical to substantiate their claim that I was the big saving factor.

Still, those of you who have the power should keep the faith. Be willing to support the use of substantial sums of money for delinquency prevention but go all the way with your convictions. Place it in the hands of governmental departments who are mandated to do that, not with members of the juvenile justice system. Their frame of reference is different than ours.

In Conclusion:

Let me reiterate that 1.) Youthful gang members, whether positive or negative in their actions, were made that way, they were not born that way. We probably will not eliminate the gang because we have nothing better to offer the individual who gravitates towards it. 2.) As long as it remains a minority issue it will not be resolved. 3.) Newspaper accounts, whether factual or not, cover only the tip of the iceberg. There are many murders per year but worse are the maimings, broken bones and scarred insides.

But we can over-come, slow down or alleviate the condition by applying compresses to our affected bodies until the doctor arrives, diagnoses the illness and prescribes the medicine. Or did he do that already? Only we, the patient, have resisted the medicine, wishing to remain terminal in our thinking and acting!

Thank you!

CHICANO GANG - BARRIOS IN EAST LOS ANGELES - MARAVILLA

/ Genesis of gang-barrios, observations
and Using Community Organization Tech-
niques to Mitigate Gang-Barrio Violence

by

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FOREWORD

This paper was prepared to give one an account of East Los Angeles-Maravilla gang-barrios as they were and as they exist today. Also, it is intended to give the reader a perspective on the seriousness of gang-barrio violence in East Los Angeles, the involvement of parolees and probationers in the gang-barrio, and lastly a community organization approach for working with gang-barrios.

While writing this paper, reference is made as to the parole agent or probation officer assuming another role, that of a community organizer. Although the community organization role may be difficult to assume, its effect appears to influence the direction a gang-barrio takes and, consequently, in what type of activity the individual member participates.

I would like to thank Walter B. Miller, who discussed at lengths, his experiences in Boston with lower class gangs. His invaluable perspective on the contemporary gang situation today will long be remembered by this writer. Also, I would like to thank Marina Marquez who diligently reviewed this report, Connie Bell of the Youth Authority Planning Section, who worked with me extensively to complete this report, and lastly, the California Youth Authority and Director Allen F. Breed, who made it possible for me to attend the Center for Criminal Justice at Harvard University (which included research in the area of violent gangs).

INTRODUCTION

This report concerns the role a field parole agent, or field probation officer, in a special treatment unit, could assume in a barrio community such as East Los Angeles, which has had a large Chicano population, and which traditionally has had many fighting gang-barrios.

(The term gang-barrio refers to a hypothetical boundary which the gang members regard as their "turf".)

East Los Angeles has been known for its notorious fighting barrios. Few persons, if any, know when these gang-barrios began. Yet, these gang-barrios have caused much harm to the community as well as to individuals. The Los Angeles County probation program known as group guidance in the early 60's appears to have been the last public agency effort to work with gang-barrios in Los Angeles. It is to be noted that the group guidance program had little, if any, contact with the Maravilla gang-barrios which date back to The Twenties. The group guidance program concentrated its effort over a vast area and included black gang groups as well as Chicano gang-barrios. Some of the gang-barrios worked with were the following: White Fence, Macy, Alpine, and Mateo. The White Fence group was the nearest to the Maravilla area, long a traditional adversary of Maravilla gangs. Therefore, the older gang-barrios such as El Hoyo Mara, Varrio Nuevo, Marianna Mara, Geraghty-Loma, Lopez Mara, Lomita Mara, Lote Mara, and newer gangs such as Arizona Mara, La Rock, Varrio King Cobras, La Tercera have had little, if any, contact with group workers or gang workers whose primary concern is to work with the gang-barrio.

One of the difficulties encountered by the parole agent in the barrio community is that he has to work not only with a parolee who may resent him as an authority figure, but with the parolee's gang-barrio subculture, his peer group, and with the many negative factors which reinforce the subculture patterns or way of life. It has been difficult, if at all possible, to effectively influence, modify, or rehabilitate the parolee gang member in his own turf or barrio. These hard-core gang members are constantly being arrested, convicted, and returned to institutions only to be released a short time later to their respective communities and again take an active part in their gang-barrios.

In subculture gang norms the parolee returning from the "tougher" type institutions such as D.V.I. (Deuel Vocational Institute), Preston and Paso Robles (now closed) is looked upon as really having attained status. The younger gang members will acknowledge the parolee's achievement as if he had graduated from a prestigious university. The gang members thus reinforce the subculture of the gang-barrio and the gang-barrio satisfies the parolees' (recognition, status, etc.) psychological needs.

Since the gang-barrio member usually will be somewhat confined to his gang-barrios' hypothetical boundary, his relationship with the other members is frequent and recurrent, which makes for a close intense relationship (closely-knit) group, therefore, in order to influence, modify, or rehabilitate the parolee (gang-barrio member) the agent must work with the entire group. In some cases even though the parolee would like to follow the parole agents' advice (which has come about through a one-to-one counseling relationship in the office or in the home), the subculture, gang-barrio, pressure is too much for the young man to contend with or

hear. In some cases, after programming the youth for success, the parole agent leaves the cultural island, barrio, or ghetto, and doesn't take into consideration the immense pressures on the parolee having to stay in the barrio and bear the pressure of his peer group and gang-barrio subculture.

Therefore, if a program is initiated that will have meaning for the parolee, gang-barrio member, in his own barrio (neighborhood), the probability of effectively helping him help himself, is relatively higher. From my experience, I would further state that sophisticated techniques of community organization (in the East Los Angeles setting) seem to be more effective in dealing with problems of gang-barrio violence and gang-barrio delinquency than more traditional casework counseling methods in a community such as East Los Angeles-Maravilla.

A question that is often asked is why must the agent modify his traditional approach and work with the parolee's peers when they may not be on parole and not the responsibility of the agency? To answer that question one should think about who "pays the price" of not effectively doing something about the parolee's gang-barrio. To further answer this question, in an 18-month period the East Los Angeles Sheriffs reported 31 killings as a result of gang violence and conflicts. Five of the victims were California Youth Authority parolees.

MARAVILLA

Maravilla (Spanish for "miracle") is an area of approximately 8 1/4 square miles in the East Los Angeles area. It is a low-cost housing area characterized by project-type housing units which were built during the Second World War as temporary housing.

Although the original area designated as Maravilla was about 1/2 a square mile, the hypothetical boundary from a gang-barrio, subculture, perspective is approximately 8.25 square miles at this time. Maravilla, originally (in The Thirties), was the Chicano barrio when the area south of 3rd Street (see map, exhibit 2) was predominantly White, Anglo-Saxon, Protestant in about 1940.

Gangs which have emerged from the area are known by markings in the gang's territory denoting the name of the gang followed by the infamous "Maravilla", or "Mara" (short for Maravilla) or just an "M" with two short horizontal lines on each side (see exhibit I). Maravilla gangs have traditionally used the Mara label to let others know that they are affiliated with the oldest and most feared gang-barrios in Los Angeles. Older Mara gangs in the 40's such as Ford, El Hoyo, La Kern, La Mariama, earned a reputation for fighting and retaliation that is still respected today by other gangs in the Los Angeles area.

Some of the older gang-barrio members interviewed in East Los Angeles spoke about how the Maravilla gang-barrios had met the servicemen (mainly sailors) during the Zootsuit riots in the early Forties.¹ On this subject a veterano* from Ford Mara, named Ernie, stated that

¹Griffith, Beatrice W., American Mo. Boston: Houghton-Mifflin, 1948.

*Older gang-barrio member; age could be from 21-45 years of age.

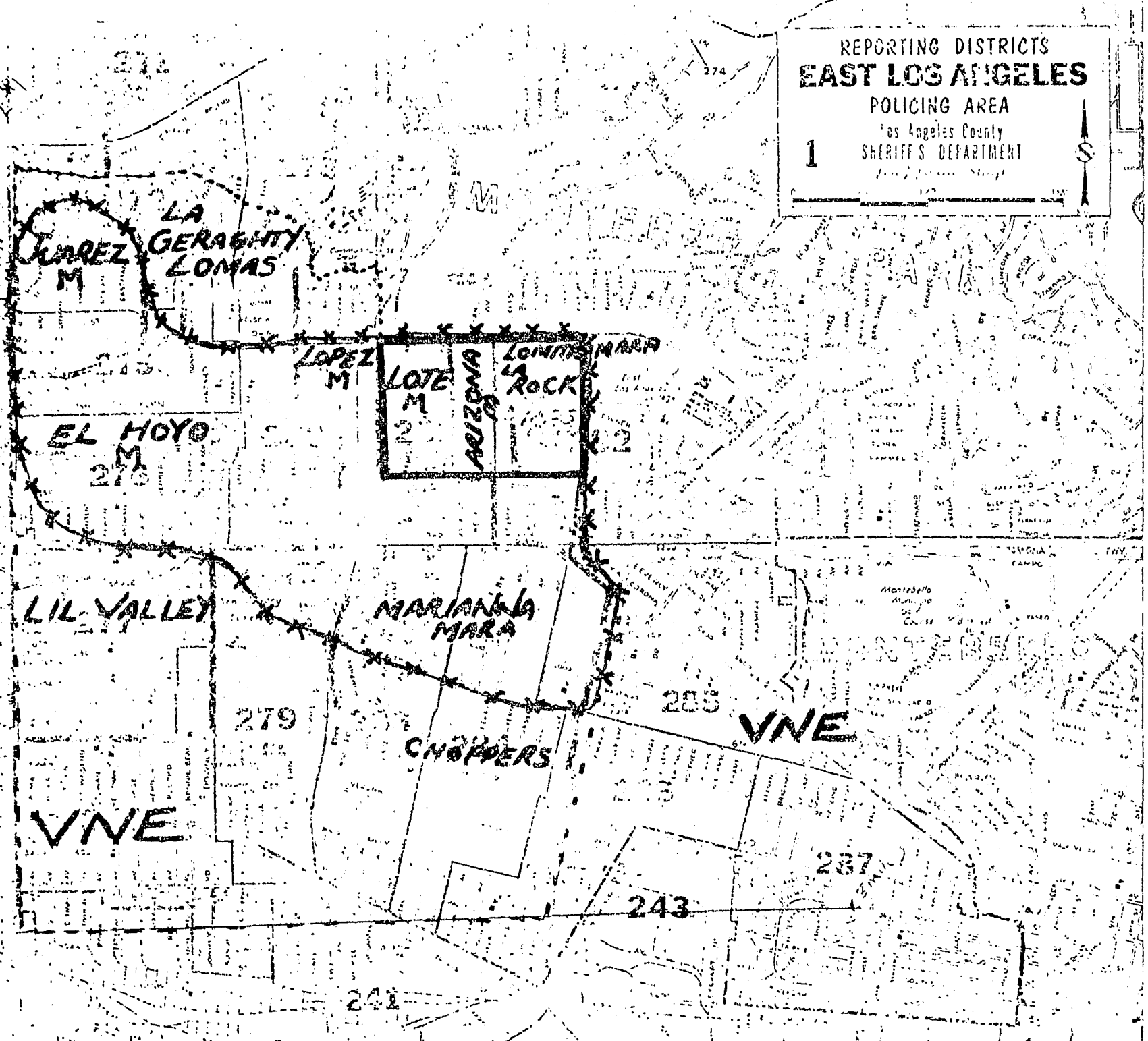
EXHIBIT I: TYPICAL GANG MARKINGS IN THE EAST LOS
ANGELES AREA

Lote -M-	Lote Mara	Midgets Lote Mara	- L. - M. -
El Hoyo -M-	Cutdowns Hoyo Mara	Cutdowns H-M	H-M Locos Hoyo -Maravilla-
A-M	Arizona -M-	La Arizona -M-	Lil Arizona -M-
La -MM-	La Marianna Mara	Cherries MM	Santos Marianna Mara
Lil Valley	L-V -R-	Termites de Little Valley	LITTLE VALLEY -O- I
VKK	Varrio King Kobras	KK	Pequenos Varrio King Kobras
La Lopez -M-	La Lopez Mara	L-M	La Rock Mara -----O-----
La Lomita Mara	LM	Geraghty -Loma-	Juarez Mara
P.F.	La Tercera -O- I	White Fence -R-	W-F IST Flats

ENCLOSED IN GANG AREAS
BLOCK
NEW VNE KING ROBBERS

EXHIBIT 2

8.24
WHITE FENCE



on one particular day, over five hundred gang-barrio members from all different gang-barrios gathered to fight with the sailors. He continued saying that although feuds were always going on between the different gangs, the outsiders (sailors) brought the gangs together (While conveying this information I could see how proud the veterano was about that experience. Now a truck driver and a family man, he remembers the incident as the middle class kid recalls the winning of a football game). When the sailors arrived, about eight or ten taxis full, the awesome sight of so many gang-barrio members armed with chains, guns, knives and clubs was too much for the sailors and they left under a shower of rocks.

GANG BARRIO

A barrio may be defined as a neighborhood which is heavily populated by Chicanos or Mexican-Americans. Low income barrios are often referred to as a ghetto by the majority group. It appears that, in large cities throughout the southwest, there are areas designated as the Mexican or Chicano area or barrio, and which the residents themselves refer to as the barrio.

The gang-barrio is seen as a subculture within another culture, the lower economic Mexican-American group. The gang-barrio subculture is one which emphasizes manliness (machismo), honor, bravery and "huevos" (guts). Although the gang-barrio is not the same as the conflict gang as described by Cloward and Ohlin², many of the values of the conflict gang are shared by other members of the gang-barrio. In most cases the

²Richard Cloward and Lloyd Ohlin, Delinquency and Opportunity, Chicago, Illinois: Free Press, 1960.

gang-barrio is frowned upon by the majority of the adult residents, yet, many of the values in the gang-barrio are supported by the culture of the lower class Mexican-American.³

The term "gang-barrio" will also be used to refer to a type of youth group within the Chicano community which has been in existence for decades. Most gang members are part of the gang because they share common values and behavior patterns. Many of the young men I came in contact with had had brothers or other close relatives in the gang-barrio. In one family three out of four brothers had been members of the El Hoyo Mara gang-barrio. The brothers ranged from age 22 (1972) to 38. All had been on parole or probation at one time or another. Also, it appears that the lower-class Chicano communities serve as the "birth-place" of the gang-barrios⁴ (Maravilla is such a place).

Criteria for defining a "gang" have been delineated by a number of works -- including Cloward and Ohlin, Klein, Short, but Walter B. Miller's definition based on five major characteristics appears to be best applicable to the gang-barrio. These characteristics are: recurrent congregation (extra-residential, self-defined inclusion-exclusion criteria, continuity of affiliation); territorial basis (customary frequentation locales, customary ranging areas, residential-proximity recruitment basis); age basis (age limit affiliation, subgroup delineation by age); versatile activity repertoire (illegal activities, extended periods of "casual interaction, hanging out",

³Buford E. Farris and William Hale, Mexican-American Conflict Gangs, Observations and Theoretical Implications, San Antonio, Texas, Westley Community Center, 1962.

⁴Farris and Hale, op. cit., p. 5.

recreational-athletic activities) and intra-unit differentiation by authority, roles, cliques and prestige.⁵

NUMBER OF GANG-BARRIOS IN LOS ANGELES

Different agencies give different statistics in regards to gang activity. My sources were major law enforcement agencies in Los Angeles.

Los Angeles city gangs number 171, of which 125 gangs were Chicano or Mexican-American; 46 gangs were Black gangs. In regards to Black gangs, they all but disappeared entirely after the Watts riot, but recently in southwest Los Angeles, Black gangs have again become active and violent.⁶

In the unincorporated part of Los Angeles--mainly the area east of the city limits--there are approximately 50 gangs, all Chicano gang-barrios.

The Maravilla area of the unincorporated county has seven active gangs and the area adjacent to it has another seven. It is amazing that the area in which these gangs are found is no larger than 8 1/4 square miles (see exhibit 2).

I. CHARLIE AND KERN MARA

This information was obtained through a field interview with a founder of the Kern Mara gang-barrio whose name is Charlie. My concern

⁵Walter B. Miller, American Youth Gangs-Past and Present, to appear in Blumberg A., A Reader in Criminology, Random House-Knopf 1974.

⁶King, W., Violence and Terror by Street Gangs, N.Y. Times, May 24, 1973.

was to learn the genesis of the gang-barrio. Charlie stated that in 1941 Maravilla was a rural type community with rolling hills and lots of vacant land. Brooklyn and Ford Streets (see map) were the center of the Mexican barrio. The people were generally poor, housing was inadequate and life was generally very simple. Spanish was used by everyone. Charlie felt that his gang was a mere street corner group at the beginning. Only through conflict with a gang-barrio known as El Hoyo Mara did they become a fighting gang. The gang-barrio was actually named by other gangs. Since they (Charlie's associates) frequently gathered around Kern Avenue in Ela-Maravilla, other gangs referred to them as the guys from Kern. Consequently, when conflict arose with another group they named themselves La Kern Mara or the Kern Gang from Maravilla, and a new gang emerged. Charlie confirmed the presence of other gangs in Maravilla such as La Ford Mara, Marianna Mara and El Hoyo Mara, gang-barrios which had been established long before his Kern Mara gang in 1941. Many authorities never paid much attention to Chicano gang-barrios until the Zootsuit Riots in the Forties, which made it the "in thing" to study the Chicano gang-barrios. But as Charlie and many other veteranos stated, some of the Maravilla gang-barrios were around in the late Twenties.

Charlie is now a local businessman and had lots of tales to tell me about "La Kern Mara" but my objective was to establish the genesis of that particular gang barrio (1941).

II. WINO AND LA FORD MARA

Wino is an alcoholic who resides in the Maravilla area and, although 51 years old, continues to associate with a street corner group of

veteranos. These veteranos are an older group of men who frequent the Brooklyn and Mednik Street corners in 'Maravilla, East Los Angeles.

In regards to the formation of the Ford 'Mara gang-barrio, Wino stated that at the age of eleven (1926) he began associating with the then-called "Boys From Ford". Wino was born in 1915 and he states that the Ford barrio was in existence at that time. In the late Thirties the Ford boys referred to their group as Ford 'Mara.

While conducting this interview, another veterano about 38 years old insisted that the Ford 'Mara gang-barrio was the toughest gang around. He emphasized how powerful it had been, how it controlled a large area of 'Maravilla. His facial expressions conveyed how meaningful that particular gang-barrio had been for him, then he sadly admitted how it had finally dissolved; with that remark his world appeared to have vanished and he took another sip of the wine they were drinking.

From these accounts and many others, we can safely say that 'Maravilla gang-barrios, and their subculture, have been in the East Los Angeles area for decades. Therefore, it is not unusual to read comments such as those of Malcolm Klein to the fact that kids in the barrios are almost immediately exposed to subculture behavior patterns, that really don't give them a chance to view other ways of life. Consequently, they are not able to make an independent decision and, therefore, succumb to the subcultures such as those of the gang-barrios at a very early age.⁷

⁷Malcolm W. Klein, Street Gangs and Street Workers, Englewood Cliffs, New Jersey: Prentice Hall, 1971, p. 238-264.

FORMER ATTEMPTS TO WORK WITH THE EAST LOS ANGELES 'MARAVILLA GANG-BARRIO

From my recollections of living in East Los Angeles, the 'Maravilla gang-barrios have had few encounters, if any, with rehabilitation or social agencies whose primary efforts would be to work with hard-core gang members.

Although new efforts are being implemented in East Los Angeles ('Maravilla), traditionally, social agencies in the barrio appear to look for the "good kids" to involve in their programs and tend to exclude and ignore the gang members. Dr. Malcolm Klein and the Los Angeles County Probation Department's group guidance staff did some work with the ELA gangs (northern and southwest L.A.) but never reached the Maravilla gangs who are the oldest. Klein's efforts were related to reducing the cohesiveness of the gang (Clover gang, Northeast L.A.) group and according to that study he succeeded in creating a gap which for that time inhibited recruitment of younger gang members.⁸ Yet, despite his efforts the law enforcement agency in the Clover area reported that the Clover Gang is still active today and the ages of the gang members are between 15 and 25.

Thus the Maravilla gang-barrios have flourished and subsided in an environment free of social services directed specifically at them. Surprisingly enough, large, notorious, gang-barrios, such as Ford 'Mara, waned until it ceased to exist in 1962, indicating that other factors are involved in the cessation of gang activity besides intervention or reducing cohesiveness.

⁸Klein 1971 op. cit., p. 123.

THE GANG-BARRIO AND VIOLENCE

The issue of gang violence has been addressed by many noted scholars in the past. Yablonsky stressed fantasy and illusions⁹ in his chapter entitled, "The Dragons Invade". Walter Miller, who studied gangs in the Boston area (late 60's) reported that no homicides occurred within a three-year period among the 300 members studied and the fourteen gangs involved. While writing this paper, I had an opportunity to discuss the gang-barrio situation with Dr. Miller and he stated that there was a tendency to play down the seriousness of gang violence in the 60's. One of the studies to support this was the Boston study. But in the 70's gangs in the large urban center (New York, Chicago, etc.) are definitely violent!¹⁰

Many authorities on gangs have stated that most acts of violence are exaggerated to the point of fantasy. The gang-barrio situation in East L.A. (Maravilla) appears to have some of this illusory type of phenomenon. Gang members will exaggerate an incident to the point of fantasy (non-gang members do the same thing). But for the most part, Maravilla gang-barrios are definitely violent! This violence is expressed in terms of reported deaths and vicious assaults (knifings, beatings and shootings included). The reader can determine whether the facts reinforce my opinion. By noting on the map (exhibit 2), the gangs involved can be found in an area of 8.25 square miles. The local law enforcement agency (East L.A.-Maravilla) reported that in an 18-month

⁹Miller 1974 op. cit., p. 26.

¹⁰Miller 1974 op. cit., p. 26.

period, from June 1971 to December 1972, there were 31 deaths which can be directly related to gang-barrio conflict.

In relation to the homicides, if we compare gang deaths in East Los Angeles to gang deaths in Philadelphia, we see that Philadelphia had 42 gang deaths during the 12 months of 1971 (population: 2,000,000 or .17 deaths per 100,000 persons) and that East L.A. had 32 gang deaths during an 18 month period (population: 103,000 or 1.7 deaths per 100,000) giving East Los Angeles a rate roughly 10 times that of Philadelphia as a whole.

In addition to the homicide figures, the L.A. County Sheriffs Department reported 81 felony assaults by gang-barrios between January and July of 1971, and 108 between January and July of 1972.

It is shocking to note that East Los Angeles, with a population of 100,000, accounts for almost as many gang deaths per year as the city of Philadelphia with a population of 2,000,000--considered by many to have the most serious gang homicide problem in the country.¹¹

As other scholars have previously suggested, the gang usually is composed of hard-core and fringe members (Miller, Klein, Yablonsky all agree). It should be noted in East L.A. Maravilla, the 14 active gangs represent perhaps 3,500 persons, including adults and juveniles: however, of these 3,500 persons, approximately 400 may be hard-core. The 14 active gangs in East L.A. Maravilla are as follows:

¹¹King, W., "Violence and Terror by Street Gangs" in Philadelphia, New York Times, May 24, 1973.

Lil Arizona	Formed about 1960. Named after defunct Arizona Cats.
Choppers	Small gang establishing itself in a non-typical gang neighborhood. Began in about 1970. An auxiliary of a West Side gang known as the Choppers.
East Side Los	Small gang trying to survive attacks from Little Valley. Has had members shot and assaulted. About three years old.
El Hoyo Mara	Established gang-barrio. Founded mid 20's. Has about 7 age groups (divisions) or "clicas". One of the largest barrios in East L.A. Long tradition of violence. A real status group for gang joiners.
Geraghty	Older gang, remains in the hills overlooking East LA Maravilla. Arch rival of El Hoya Mara. Now called Geraghty-Loma.
Juarez	Gang formed in 1957. Small but allies itself with larger Hoyo Mara to fight Geraghty-Loma its arch rival.
La Rock	Newer gang which started about 1969 in the original Maravilla area, right under the nose of the larger gang known as Lomita Mara. Growing fast. Most members are in their early and mid teens.

Lil Valley	Emerged after dying out in 1965 and trying to re-establish its reputation. Most members in early, middle--a few in late--teens. Involved in vicious murders of rival King Kobra gang members. Ambivalent about the Federacion de Barrios Unidos. ¹²
Lopez	Older gang established in the 40's. Known for drug connections and now as a self help group trying to "combat" drugs in their gang-barrio. A member of the Federacion de Barrios Unidos.
Lote	Gang barrio formed in 1954. Has four divisions, a very tightly knit group. Has been involved in many "rumbles" with Lomita Mara, Lopez Mara and Marianna Mara.
Lomita	Gang oriented in 1954. Has several divisions. Many members lean heavy into drugs (Ohlin's Retreatist theory appears to apply very well in this case). ¹³ Has fought with Lote Mara over a decade; both barrios are members of the Federacion de Barrios Unidos.
Marianna	Old gang established in the 30's. Almost vanished in early 60's. Dying out Mariachis

¹²Federation of United Neighborhood, actually gang-barrios coming together to voice their concerns, gang-barrio conflict.

¹³Cloward and Ohlin 1960, op. cit., p. 178-186.

Mara members joined and revitalized Marianna. Has had a continuous feud with Arizona Mara and killings have resulted. Has several divisions. Older veteranos trying to work closely with Federacion de Barrios Unidos. In 1972 rented a small building to use as a social recreation center. Money has come about through car washes on weekends.

Varrio Nuevo

Old gang out of unincorporated area of East L.A. Members establishing gang in a middle class area of Montebello, Calif. An arch rival of the White Fence gang, also a city gang. Several homicides have resulted due to gang conflict (not included in homicide statistics).

Varrio King Kohra

Newer gang established in 1968. Many are CYA parolees. Have been the recipients of shotgun murders, recently, by their arch rival, Little Valley. Newer member of the Federacion de Barrios Unidos.

PAROLEE AND GANG-BARRIO MEMBER DEATHS WHICH RESULTED FROM GANG-BARRIO CONFLICT AND VIOLENCE

From my experience also, a significant number of CYA parolees are or have been gang members. The Youth Authority has under its jurisdictions a substantial number of their young men from the barrios of East Los Angeles.

Why are they gang-barrio members? If we apply Maslow's¹⁴ well-recognized theory of basic psychological needs, the gang-barrio offers the gang member status, recognition, activity, and opportunity to be heard, opportunities to display his machismo (manhood). In essence, his psychological needs are fulfilled.

In an environment where education is meaningless, the gang-barrio fulfills the young man's needs. Celia S. Heller in 1966 wrote, "During his nine years of intermittent schooling, Chaco has one fact impressed on him. The only group that has meaning for him is his neighborhood group. It is not the school, where the "American" teachers tell him about a world in which he has no real part...But in the neighborhood gang is the stuff of living as he knows it."¹⁵ For the young man in the barrio the situation has not changed. Therefore, whether the individual is a parolee or not, the gang-barrio offers a life of adventure and real meaning. Yet, this gang-barrio life, in many instances, cheats the gang-barrio member of a long and productive life. The following is data covering the homicides mentioned earlier (27 of 31 gang-related killings which include attempted homicides and vicious assaults). The reader should consider the violent acts which some of the gang-barrio members must display to be accepted in the hard-core group and also the tragedy of this process:

¹⁴ Heller 1966 op. cit., p. 56. Ibid., p. 45-56.

¹⁵ Celia Stojnicka Heller: Mexican-American Youth, Forgotten Youth at the Crossroads. New York, Random House, 1960, p. 57.

1. The victim was shot once in the chest by the suspect. The shooting was an outgrowth of juvenile gang activity. The specific gangs involved are the Arizona Mara and the Marianna Mara gang of which the suspect is a member. Suspect was arrested at the time of the shooting on charge of assault¹⁶ with intent to commit murder. This charge was later amended to murder following the victim's death (the victim was a CYA parolee).
2. Victim died as a result of multiple stab wounds to the chest and abdomen inflicted by the subject during a gang fight. The two East L.A. gangs involved were the Arizona Mara gang and the El Hoyo Mara gang. The victim was from Arizona and the suspect from El Hoyo. The suspect was also a CYA parolee.¹⁷
3. The victim was standing in the parking lot in front of his residence located in the Maravilla Housing Project and was struck in the chest with a .22 caliber bullet fired from across the street. The two East L.A. gangs involved were the Marianna gang and the Arizona gang. The victim did not belong to any gang. Suspect is in custody at East L.A. following his arrest on 7/20/71.
4. The victim was dead in the street at location after being shot seven times in the head and torso. The suspect is in custody charged with murder, awaiting preliminary hearing in East L.A. Municipal Court. The East L.A. juvenile gangs involved are the

¹⁶ Case #1. Victim was a California Youth Authority parolee.

¹⁷ Suspect was a CYA parolee.

Geraghty gang and the Whitefence gang.¹⁸

5. The victim was attacked by possibly three unknown male Caucasians of Latin descent and was stabbed six times in the chest and two times in the back. He died on the front porch of the residence at the location. On July 20, 1971, a rejection on suspect was received from East L.A. Deputy District Attorney. Suspect was released from custody. The victim was identified as a member of the "Lopez" Mara gang.
6. The victim was shot from a passing vehicle while standing in front of his home by suspects armed with a shotgun. The victim although not a gang member, associated with members of the Marianna Mara gang. It is believed the murder occurred as a result of a long term feud between the Arizona and Marianna gangs.¹⁹
7. The seventh gangland murder was committed when victim was shot numerous times with a .22 caliber weapon in Salazar Park, East L.A. Following the shooting, the fleeing suspects yelled slogans referring to the "Little Valley" gang. Subsequent investigation revealed that the victim was affiliated with the East L.A. King Cobra gang.
8. The victim was found bleeding about the face and head in L.A. City on June 20, 1971. He was transported to a hospital where he remained in a comatose state until his death on July 12, 1971. Investigation by L.A. Police Department Hollenbeck Detectives failed

¹⁸ Suspect was a CYA parolee.

¹⁹ Suspect was a CYA parolee.

to reveal the cause or location of the assault until December 8, 1971. At that time their investigation revealed the assault of the victim was possibly committed by juveniles and apparently took place in the Maravilla Housing Project in East L.A. on June 20, 1971. Homicide Bureau has accepted responsibility for the full investigation. Although suspects are not identified, it is believed this murder was probably committed by members of the Arizona gang, most of whom live in the Maravilla Housing Project.

9. Victim and a friend were walking on the sidewalk at location and were fired on with a .22 automatic rifle by two male Latins from a passing vehicle. Victim was pronounced dead at location and the friend was wounded and recovered. Victim was identified as a member of the Little Valley gang and was a witness to a 217 p.c. (assault with intent to commit murder) on November 12, 1971. He was the victim of a 187 p.c. (murder) on January 9, 1972. Victim was on Christmas leave from the U.S.M.C. and was previously associated with members of the Little Valley gang.
10. Victim was shot with a shotgun by three Latin suspects from a passing vehicle. An East L.A. detective unit observed the shooting and went into pursuit of the suspect's vehicle, assisted by patrol unit. During the pursuit, the detective and patrol units were fired upon by unidentified male suspects; in a second vehicle. Two rounds struck the detective unit and one round struck the patrol unit. No department personnel were hit. The vehicle and two adult male Latin suspects and one male Latin juvenile suspect²⁰ were

²⁰Victim was a CYA parolee.

arrested following the pursuit. Victim died at L.A. County USC Medical Center on December 26, 1971. The three arrestees are either members or associates of the East L.A. Little Valley gang. Victim was a member of the East L.A. El Hoyo Mara gang.

11. Victim staggered through the front door of Deloy's bar stating in Spanish that he had been shot twice. He died one hour later at a local hospital. No suspect identified at this time. It is believed the victim was killed by East L.A. gang members during a robbery.
12. Victim and friends were standing near location and were fired upon from suspects in a passing vehicle. Victim was struck in the chest and died. One of his friends was wounded in the leg. No suspects are identified. Investigation reveals the victim and friends were members of the Bassett gang from the City of La Puente (Industry Station Area) and the suspects are members of the East L.A. New Breed Car Club.
13. Victim and two male Latin juveniles were in a fight in the street with five male adult Latin suspects. The victim was stabbed in the head and one of his friends was stabbed in the body. The third was unharmed. Victim died in the hospital six hours later. His wounded friend is expected to recover. One suspect is identified but not in custody. The remaining four suspects are still unidentified. Victims are members of the Little Valley gang. All suspects are believed to be Nationals.
14. The victim and suspect were engaged in a fight that had been previously planned.

15. Victim chased and beaten with brick by possible members of Marianna gang. It is unknown if victim was a gang member.
16. Victim shot by party crashers possibly from the Arizona gang.
Victim was affiliated with the Juarez gang but there is no indication that gang rivalry was the motive for the murder.
17. Victim, killed, shot during robbery of his market by La Rock gang members.
18. Victim, transient, killed by several members of the Arizona gang by beating. On this same date another person was stabbed and permanently paralyzed by the same gang and suspects.
19. Victims killed by victim of robbery while robbing market at location. Victims associated with Lopez gang.
20. Victim beaten to death by kicking and hitting with rocks. Very little information and no witnesses. Suspects stole victim's vehicle. Possible gang activity.
21. Victim, member of King Kobras, killed during knife fight with several Lil Valley members. D.A. reject on seven suspects due to victim starting fight.²¹ Victim was a ...
22. Victim stabbed by suspect during argument. Suspect is possible member of Lil Valley gang.
23. Victim was shot and killed by La Rock gang members who were trying to shoot Arizona gang members at a party. Victim was affiliated with the Lomita gang. This incident will probably produce more gang activity.

²¹ Victim was a CYA parolee.

24. Member of La Rock gang, shot and killed by members of the Lomita gang, probably in retaliation for the murder of Angel Olivas. Murder complaint obtained on suspect.
25. Victim beaten and stabbed to death by members of the Mexican Mafia.
26. Victim member of El Hoyo gang stabbed to death by unknown Lil Valley gang member.
27. Victim run down and killed by auto after participating in gang fight. Unknown gangs.

After reading the preceding data, being a CYA parolee isn't the criterion for being active in the gang. In most cases, the reverse is true: the parolee has been a member of the gang-barrio months or years before commitment to a correctional facility. The crucial issue to consider is what can be done for the gang-barrio member or parolee gang-barrio member in his own environment which in most cases lacks the kind of constructive support (good schools, intact family structure, recreation, jobs and general opportunity) essential to developing a healthy personality? I have learned that casework counseling appears to have little effect on the parolee or gang-barrio member when he is in the company of the gang-barrio members. One study known as the Cambridge-Somerville project stressed the casework counseling method to reduce delinquent activities in the area. The counseling was given to a group of boys considered potential delinquents. The results were inconclusive in that there was little difference in delinquency rates between the control and experimental group.²² Therefore, in a barrio

²²Edward Powers and Helen Witman, An Experiment in the Prevention of Delinquency: New York, Columbia Press, 1951. p. 57-77.

environment, community organization techniques may have more effect on the particular gang-barrio.

ASSUMING A DIFFICULT, YET EFFECTIVE ROLE: COMMUNITY ORGANIZING OF GANG-BARRIOS

Developing a relationship. In my case the relationship has existed because not only do I live in the East L.A. area and come into contact with many gang-barrio members, but my occupation as a parole agent brought me into intimate contact with gang-barrio members on my caseload. To give the reader an indication of parolee gang-barrio ties, from a caseload of 30 in East L.A., almost 60% were gang-barrio members or affiliated with gang-barrios.

As a parole agent, I felt that social casework as a tool to change or at least modify negative behavior didn't affect the parolee, gang-barrio member in his barrio community and that another approach was needed. Having lived in the barrio area I was exposed to the barrio subculture at an early age and learned how the parolee, gang-barrio member appeared to want to please his peer group at any cost.

I have often been asked the question of how I was able to observe gang-barrio behavior and the answer is that in most cases I knew a "veterano" who introduced me to the younger members, or the veterano was still active to the extent that my mere presence with him was enough for the other members to see me as O.K. If the veterano has a reputation for physical combat (that virtue is generally respected in any gang-barrio), one can rest assured that no one will question one's presence or activity. The power figures in the gang-barrios are known

THE DIA FAMILIA
RULES & REGULATIONS MEMO

APPENDIX F

ANY CARNAL LEAVING 3-A WILL AUTOMATICALLY MAKE A FULL REPORT OF WHAT OCCURRED AND SEND TO SECURITY, REGIMENT OR TO YOUR LT, AS THE CASE MAY BE.

~~IT THERE WILL BE NO SLEEPING DURING THE DAY.~~

II. ALL CARNALES WILL BE UP AND READY WHEN MOVEMENT STARTS AT 9:AM AND WILL STAY READY UNTIL MOVEMENT STOPS AT 10 P.M.

III. NO CARNAL WILL GET IN TO THE MANS FACE WITH OUT PRIOR PERMISSION OF YOUR LT.

IV. NO FAMILIA BUSINESS WILL BE DISCUSSED AT ALL ON THE TIER, IF YOU NEED TO DISCUSS ANY THING THAT IS FAMILIA BUSINESS, DO IT IN WHITTING OR AT SHOWER TIME.

V. NO CARNAL IS TO ASK CARNALES COMING FROM THE STREETS OR PINTA ABOUT WHAT IS HAPPENING IN THE REGIMENT THAT HE CAME FROM. UNTILL CLEARANCE OR OTHER WISE CLEARED FROM LT.

VI. ALL FAMILIANOS WILL GIVE PROPER RESPECT TO OUTSIDERS AS WELL AS FOR YOUR CARNALES

~~IT THERE WILL BE NO MEDICATION TAKING BY CARNALES UNLESS APPROVED BY YOUR LT~~

VII. SCHOOLING IS MANDATORY AND WILL BE DONE DAILY FOR 20 MIN WITH THE EXCEPTIONS OF SAT. SUN. / HOLIDAYS

VIII. THERE WILL BE NO FAVORITISM AMONGST CARNALES
IX. HEADING ON ALL REPORTS, REQUESTS AND MEMOS WILL HAVE THE PROPER HEADING

END