

2019

# Gang Injunctions Effects: The Experiences of Residents and Enjoined Gang Members

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# Walden University

College of Social and Behavioral Sciences

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Abstract

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by

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MS, Kaplan University, 2015

BA, University of Memphis, 2008

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Criminal Justice

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May 2019

## Abstract

Civil gang injunctions (CGIs) are bans on nuisance behavior that have been enacted against gang members. Numerous studies conducted on the efficacy of CGIs have proven that they have little to no long-term effects on the communities in which they are implemented, nor on the gang members enjoined under them and their gang activities. The purpose of this empirical, phenomenological interpretative analysis study was to (a) determine the sociofamilial effects of CGIs on community residents; (b) determine the effects of CGIs on the behaviors and activities of enjoined gang members; and (c) determine the overall efficacy of CGIs based on the perspectives of community residents and enjoined gang members, with the goal of creating avenues to improve CGIs or eliminate them, if necessary. The theoretical framework for this study was Berger and Luckmann's social construction theory. A total of 7 anonymous phone interviews were conducted with community residents, enjoined gang members, and local law enforcement living and/or working in the enjoined neighborhood during the implementation of the first gang injunction in Memphis, TN. Data from these interviews were coded for thematic analysis and constant comparison. The findings were mixed in that some participants expressed that the injunction had positive results for a while and others expressed that it had a negative effect on the community. It was found that the injunction was positively effective, but only on a short-term basis, and that consistent introduction of community resources to address underlying issues that lead to crime would have been a better solution.

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## Acknowledgement

I would like to thank my family and friends who supported my doctoral journey and endured me. To my committee members, Dr. G. Koehle, Dr. H. Khan, and Dr. T. Mouras: thank you all for your guidance and feedback, but most of all, thank you for being a great and responsive committee.

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## Chapter 1: Introduction to the Study

Poverty, poor education, racial strife, lack of adequate employment and education, slum-like living conditions, and weakened family units have been common themes that has driven the growth and development of gangs throughout their nearly 200-year history in the United States (Howell, 2015). In Los Angeles and Chicago, gang histories have been repeated in numerous research studies and the media. However, the first underpinnings of gangs began nearer to the birth of the United States (Howell, 2015). There are familiar patterns of circumstances surrounding gang development.

In the 18<sup>th</sup> and 19<sup>th</sup> centuries, there were waves of immigrants to New York City's Ellis Island that boosted the population of Irish, Italian, and other nationalities (Howell, 2015). The rapid population growth fueled housing, racial, and employment issues that became the catalyst for gang development in the United States (Howell, 2015). In 1825, New York City's Five Points and Bowery neighborhoods witnessed the birth of the Forty Thieves, Kerryionians, and Bowery Boys gangs, as well as several other gangs like the Chicsters, Shirt Tails, True Blue Americans, and the O'Connell Guards (Howell, 2015). These gangs were largely Irish and fought amongst themselves and other gangs in turf wars driven by the shared unconscionable living conditions and interethnic conflicts (Howell, 2015). In the 1830s, gangs in these neighborhoods took on a slightly more beneficial role, or in another sense, may have been taken advantage of due to their increasingly violent attributes.

As district and ward leaders began to purchase properties and businesses in the Five Points and Bowery neighborhoods, they increasingly used the existing gangs in these areas as means of protecting their investments (Howell, 2015). The gangs were

rewarded for their protection and loyalty with immunity from arrest and prosecution (Howell, 2015). This type of political patronage and corruption, perpetrated by the Tammany Hall administration, drove the gangs and continued for over 2 decades (Howell, 2015). Gang membership grew steadily during this time, and the police were powerless to stop them as their numbers grew (Howell, 2015). Despite the patronage and protection of corrupt politicians, the conditions that spurred gangs and their increasing membership persisted and spread to cities like Boston and Philadelphia, where area gangs engaged in the same turf-wars and racially-motivated battles as their New York City counterparts (Howell, 2015).

Although Boston's gangs mirrored New York City's in ethnic makeup (i.e., White, Catholic, Irish, Italian, and German), Philadelphia's gangs were predominantly Black and reportedly not as organized or violent as Boston and New York's gangs (Howell, 2015). During this same period in Chicago, immigration exploded the population from 10s of thousands of residents to just over a million from 1850-1900, which further exacerbated racial tensions between ethnic groups of Irish and German youth as well as migrating Blacks fleeing from the Jim Crow Southern states (Howell, 2015). Poverty, lack of jobs and adequate education, housing issues due to the surge in population, and dysfunctional family units contributed to gang growth among these groups (Howell, 2015). Black gangs formed as protectors of their neighborhoods against White gangs that emerged to intimidate in employment and housing (Howell, 2015). These conflicts were aggravated by racially motivated riots (Howell, 2015).

The Western region of the United States was not immune to gang development. Mexicans migrating from their home country through the Rio Grande Valley, El Paso,

and Los Angeles brought with them their own brand of gang culture (Howell, 2015). In El Paso in 1924, there were 20 to 25 Mexican gangs with 80% of the members being 15-years-old and under (Howell, 2015). This foundation fueled Mexican gang development in Los Angeles (Howell, 2015). As with Black and White gangs, Mexican gangs developed in the shadow of poverty, discrimination, and other social ills (Howell, 2015). The same pattern of immigration also supported gang recruitment and development (Howell, 2015), and these factors continued to contribute to gang growth nationwide among various races and ethnicities well into the next period of gang growth in the United States.

In the 1930s-1980s, gang growth in New York City was preceded by a decline in White gang membership driven by decreasing immigration (due to restrictive new laws) and increasing assimilation by current immigrants, which nearly eliminated the pool of potential recruits (Howell, 2015). Black migrants from the Southern region of the United States and Puerto Ricans began to form gangs in the Bronx and Harlem, followed by more immigrants from South and Central America and the Caribbean (Howell, 2015). By the 60s, only 11% of gangs were White (Howell, 2015).

An economy boost in the Northeast region increased in the slums of New York City, Philadelphia, and Boston (Howell, 2015). Philadelphia, especially by the late 60s and early 70s, was regarded by the media as the “youth gang capital.” New York City officials implemented two new programs to attempt to decrease gang recruitment and activities (Howell, 2015). The Mobilization for Youth and Lower Eastside Neighborhood Association were created to eliminate, or at least decrease, gang activity in New York’s gang-ridden neighborhoods, and they worked for a time, but by the mid-70s, that decline

had been proven a fluke when South Bronx gangs revived their turf wars and their own war on drugs against the growing heroine epidemic in their neighborhood (Howell, 2015).

The same protective function of Black gangs was seen in Chicago as gangs fought for their territory against other gangs, but also for the protection of their neighborhood against White gangs who incited racial tension (Howell, 2015). These gangs were some of the first to showcase clothing and colors symbolizing their different gangs (Howell, 2015). The unity of Black gangs began to crumble as the creation of housing projects and the close proximity of rival gangs caused them to turn on each other. Chicago fared no better as these same issues plagued their active gangs; both Black and Latin-based gangs continued to grow into the modern gangs: the Black Gangster Disciples Nation, P-Stones, Vice Lords, and Latin Kings (Howell, 2015). The Western Region gangs followed suit with the creation of the Bloods and Crips in the late 60s and early 70s. The South was just beginning to see the beginning of gangs in their part of the United States.

Mexican gangs did not overlook Texas on their treks through El Paso to Los Angeles. San Antonio was one of the first large cities in the Southern region to feel the viciousness of gang violence, with Miami following behind (Howell, 2015). These two cities began to experience gang growth and activity through violence and drug trafficking (Howell, 2015). Despite this, the South did not fall victim to widespread gang growth for many years, save for the Ku Klux Klan, whose territorial and racially motivated violence spread across the South much like traditional gangs did in the North, Northeast, and West. By the late 70s into the 80s, things began to change.

In the 1980s to present, New York began to see a significant increase in gangs, which by the mid-60s numbered approximately 200 (Howell, 2015). Into the mid-70s, the female gangs, both Black and White, began to emerge right alongside the male gangs (Howell, 2015). Although the Civil Rights Movement quelled some of the activity of gangs, the continuing immigration of Mexicans into the city brought a new surge in the population and a fresh pool of potential recruits for gang recruitment (Howell, 2015). The start of the 80s saw 24% of the Northeast region's cities adjacent to Boston steeped in gang activity, with Boston claiming the most gang activity (Howell, 2015). Gang problems persisted in Philadelphia and spread to cities like Newark, New Jersey; Albany, New York; Cambridge, Massachusetts; and Pittsburg, Pennsylvania, where gang-related drug trafficking was on the rise and beginning to become widespread (Howell, 2015). Nearly a decade into the new millennium, the New England region reported upwards of 17,000 gang members spread across 640 gangs (Howell, 2015).

In the Midwest, large volumes of gang-related homicides in Chicago resulted from ongoing racial tensions (Howell, 2015). Turf battles, a common theme in gang wars, along with gang defense and recruitment, also caused a steady peak in homicides (Howell, 2015). In the early 90s, over half of Chicago's homicides and 35% of their nonfatal shootings were gang-related and perpetrated by such gangs as the Gangster Disciples, Latin Kings, and Vice Lords (Howell, 2015). As the end of 2016, 765 lives were lost to homicide (Joint Intelligence Report, 2017), and 54% of the victims were gang affiliated (Joint Intelligence Report, 2017). Chicago has remained one of the most prevalent Midwest cities for gang activity, although surrounding cities are also reporting

large percentages of gang-related homicides, like Grand Rapids, Michigan and Akron, Ohio (Howell, 2015).

In the 80s, California began to see much more gang activity than all of the Northeast, North, Midwest, and Southern regions combined (Howell, 2015). More than half of the cities with gang problems were located in the Western region, spilling into cities like Fresno, Long Beach, Santa Ana, and even Seattle (Howell, 2015). Some of the most notorious gangs (i.e. Grape Street Crips, MS-13, Rollin'60s) were making their marks during this period of gang growth in the West, most notably by increasing homicide rates (Howell, 2015). Decker and Pyrooz (2010) reported that Los Angeles deemed a little over half of their homicides as gang-related in a 5-year period.

The South was still relatively unscathed by gang violence (Howell, 2015); however, that would soon change. Miami began to notice a rise in gang activities in the mid-80s and that activity increased from over three dozen gangs to 70-plus in a 3-year period (Howell, 2015). Southeastern gangs were predominately Black and Hispanic, but growing gangs in the Southwest region were primarily Hispanic, the most storied of them being the Latin Kings (Howell, 2015). Twelve largely populated Southern cities, from 1996-2009, began to report an uptake in gang activity, among them New Orleans, Louisiana; Clarksville, Tennessee; and McKinney, Texas (Howell, 2015).

Tennessee has a history of gang growth and activity that, though not as extensive as that of New York, Chicago, or California, has been steady since the mid-to-late-80s (Hightower, 2012). Chattanooga's initial evidence of gang activity in 1984 came with the emergence of the Dogs gang (Hightower, 2012). Since then, the city has reported consistent gang growth and activity and, at one point, half of the city's homicides were

gang-related (Hightower, 2012). Clarksville, Tennessee is home to large biker gangs and has some issues with members of the military engaging in gang life, and as of 2015, had at least 35 documented gangs (Ingersoll, 2015). The Clarksville Police Department reported that gang growth in the city can be attributed to many factors, from migrating gang members to angst-ridden teenagers, and that gang members come from all walks of life—both rich and poor (Ingersoll, 2015). In the early 90s, Nashville’s gang issues stemmed from migrating gang members (United Gangs, 2017). The East Nashville Crips, also known as the Rollin’90s Crips, came into existence around 1994, and was started by a California native who wanted to expand his territory (United Gangs, 2017). This gang, along with other Crips sets, Blood sets, and various Mexican gang sets, contribute to the increase in drug-related crimes in the city and statewide, with drug-related offenses rising to 434 in 2016 from 384 in 2011 (Tamburin, 2017). The Rollin’ 90s Crips of Nashville have had their presence felt in the city of Memphis and that has caused a plethora of problems in one South Memphis neighborhood.

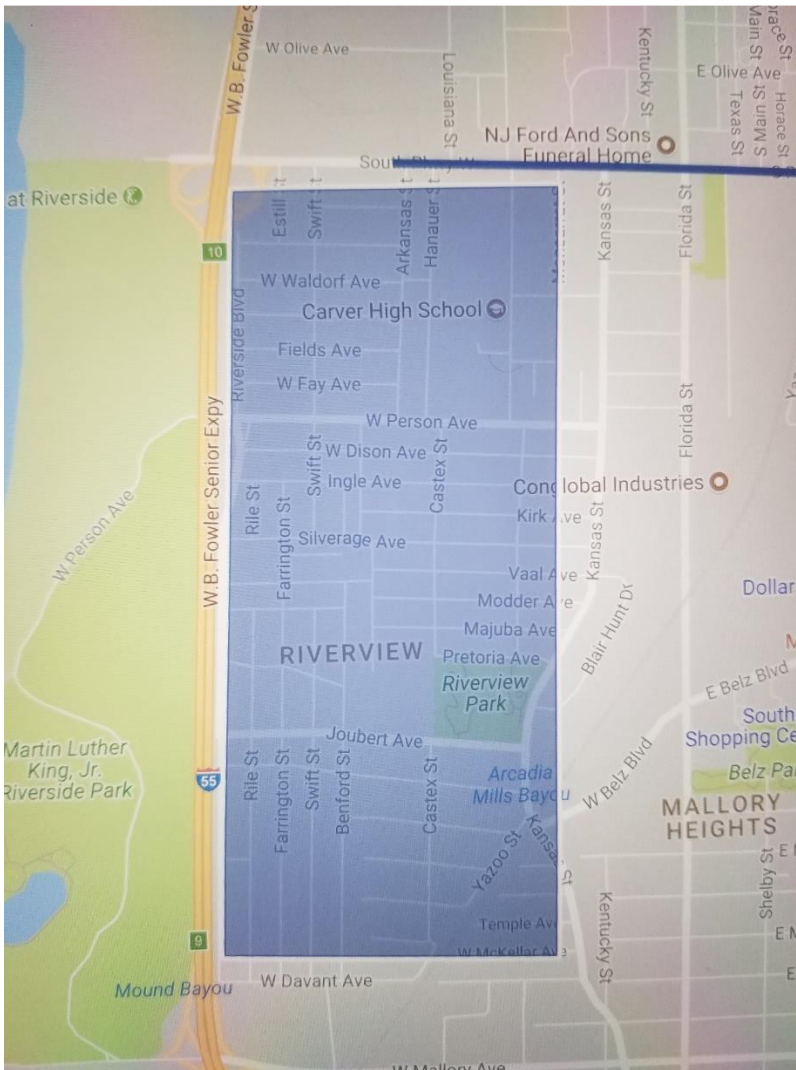
In one Memphis, Tennessee community, children were unable to safely play outside, and home invasions were a few of the issues plaguing this community. Residents lived in fear of the Rollin’ 90s Crips—the local gang that terrorized the Memphis community daily (Riley, 2015). Armed with surveys from the residents voicing their concerns on the near-daily violence occurring in their community, the Multi-Agency Gang Unit, along with the Shelby County District Attorney General’s Office, decided to do something. In September 2013, after nearly a year of research on the Rollin’ 90s Crips and their members, a gang injunction was implemented on the gang and gang members



known for their connections to the gang and their own criminal pasts. The gang injunction essentially made the Rollin' 90s Crips and their members a public nuisance.

According to Tennessee Code Annotated § 29-3-110 (2017), a gang injunction, also called an order of abatement, prohibits certain gangs and their proven gang members from gathering in public in groups of two or more members; and (2) ...entering any specific public park or parcel of property where the gang has been found to have carried out its operations. Additionally, gang members under injunction cannot engage in the intimidation of anyone witnessing the activities of the gang, act as lookouts, possess guns or other dangerous weapons, deface property with gang graffiti, engage in drug use, recruit new members, drink alcohol publicly, or prevent members from leaving the gang (Tennessee Code Annotated, 2017).

The gang injunction for the community area covers a certain area deemed a "safety zone," which is specified in Figure 1. The TCA 29-3-110 gang abatement law (2017) also stated that gang members served under the injunction have the option to opt out of the gang injunction provided they denounce involvement with the gang; have not, for the past 2 years, committed crimes or spent any time in jail; have not associated with the gang for the past 2 years (with gang-related family members being the exception); nor obtained any new gang tattoos. This portion of the statute seems problematic in that the gang members are targeted for the gang injunction because of their criminal activity related to the gang; therefore, they would have had to cease committing crimes and gang activity for 2 years post injunction in order to be eligible, meaning that they would not be able to opt out immediately. At the time of this writing, no gang members served under the gang injunction have opted out.



*Figure 1.* South Memphis safety zone in blue.

The Multi-Agency Gant Unit (2017) reported that Part One crimes like robbery and homicide have decreased within the gang injunction safety zone, dropping from 153 combined from January to April 2014 to 76 for the same time period in 2016. Yet, gang members still resided in this community and gang-related crimes persisted. Prior research on gang injunctions dating back at least 2 decades have focused on the short-term effects of gang injunctions in the form of decreasing crime statistics using the quantitative

method, and qualitative studies have focused on the same, with few studies focusing on the perspectives of the community residents living in the enjoined communities.

Some recurring patterns that were found in most of the literature reviewed for this study included the questioning of data (largely quantitative) interpretation of previous studies citing the effectiveness of gang injunctions based on a slight reduction in crime (Hernandez, Kawasaki, Russel, & Sepulveda, 2013; Viscarra-Estrada, 2016).

Additionally, there was a recurring pattern in the question of the constitutionality of gang injunctions on the civil rights of the enjoined gang members and sometimes their nongang affiliated family members (Guay, 2015; Viscarra-Estrada, 2016). These patterns laid the groundwork for my study to feature the lived experiences of residents and gang members and explore how the longevity of gang injunctions can be increased through the implementation of community resources.

### **Research Problem**

Gang injunctions have been used as a gang abatement method throughout California since the late 80s (Harward, 2014), and as of October 2016, the Southern region of the state has implemented 46 gang injunctions (Stolze, 2016). Memphis has six gang injunctions in four areas city-wide, but the focus of this study was on the first and oldest injunction in the city, which was implemented in 2013 on the Rollin' 90s Crips. Since the implementation of the injunction, certain crimes have decreased in the area (Multi-Agency Gang Unit, 2017); yet, gang-related crimes and activities persist. Although the injunction has been successful in pushing some of the Rollin' 90s Crips out of the neighborhood, it has not stopped other gangs from moving into the area and continuing their gang-related assaults on the area. Many prior studies exist on the efficacy

of gang injunctions, but there were few studies on the perspectives of the residents and enjoined gang members. Hernandez et al., Kawasaki, Russel, and Sepulveda (2013) interviewed only one gang member under an injunction. Viscarra-Estrada (2016) interviewed a few gang members, residents, and local law makers who only served the community rather than actually lived there and experienced its underlying issues. No studies were obtained in which any of the community resources suggested by prior studies on gang injunctions and the perspectives and experiences of the community in relation to gaining those resources. This study filled a gap in the literature and provided a voice to the people living in these gang injunctioned communities and gave them the solution that they needed: community resources to help them fight the underlying issues of poverty.

This research was relevant in that it informed the criminal justice field regarding gang injunctions from a more personal perspective, as well as addressed an aspect of the implementation of gang injunctions that had been rarely addressed: helping the community with their tangible needs. Law enforcement agencies and district attorney's offices were also given a model from which to determine how gang injunctions can be implemented in such a way that their long-term effects become more visible, as opposed to demonstrating only short-term benefits. The model was to add community resources to the implementation of gang injunctions to give enjoined gang members (and enjoined community at large) more options than an opt-out clause to cease gang membership and gang-related activities.

### **Purpose Statement**

The purposes of this empirical, phenomenological study were to (a) explore the effects of gang injunctions based on the lived experiences and perspectives of the residents, gang members, and local law enforcement in the community and (b) to observe the effects of community resources when implemented in conjunction with the gang injunction. There is a lack of perspectives from this target group in prior research. Additionally, the implementation of community resources to supplement gang injunctions was absent in prior research. In this study, I highlighted the voices and experiences of residents and gang members living in the enjoined neighborhood.

### **Research Questions**

RQ1: How has the gang injunction in Memphis, Tennessee affected the dynamics of the community in terms of sociofamilial connections (i.e., family-friend relationships when gang membership is involved)?

RQ2: How has the civil gang injunction in Memphis, Tennessee affected gang member behavior (i.e., ceasing of gang activity, migration to other communities, indifference)?

RQ3: What is the overall efficacy of civil gang injunctions in the neighborhood based on the perspectives of community residents, gang members, and law enforcement officers who help enforce this injunction?

RQ4: How will the introduction of community resources be received and used to increase the long-term effects of gang injunctions while also increasing the quality of life in the community?

## **Theoretical Framework**

The theoretical framework used for this study was the social construction theory. According to the social construction theory, policies are implemented in target areas by lawmakers and/or city leaders who fail to consider and remedy the underlying issues of poverty and employment and educational inadequacies (Pierce et al. 2014). The policy implementation is a band aid on a bigger issue that policy makers may not be ready or willing to address. In this study, I explored problems that are occurring in the enjoined neighborhoods, how they can begin to be remedied, and proceed to implement those remedies.

The social construction theory was introduced by Berger and Luckmann in 1966. The major propositions of the theory can be broken down into three categories: (a) model of the individual, (b) power, and (c) political environment (Pierce et al. 2014). The social construction theory aligns with phenomenology in that its tenets tout the experiences and realities of those who make the policies versus those whom the policies are supposed to benefit (Burr, 2015). Regarding its relevance to gang injunctions, local law enforcement and district attorneys' offices perceive that these policies will remedy the criminal elements in the enjoined area, while ignoring the underlying issues of poverty, inequality in job opportunities and education, and other issues that cause those criminal elements to grow. Gang injunctions, though effective on a short-term basis, have been implemented as a permanent solution for issues that have plagued communities for centuries. This theory is fitting in helping deconstruct that which have plagued society.

### **Assumptions**

The assumption for this study was that I would get honest answers from the participants because they have nothing to gain or lose by telling the truth. I found the community residents, gang member, and law enforcement officer that participated to be candid in their responses and I did not detect any dishonesty in their answers. Barring their honesty, I also assumed that I would get minimal participation, though not as minimal as it turned out in the end.

### **Limitations**

The limitations for this study were centered on the participation of residents and gang members. Some of the reasons for their reluctance might include pending cases, fear of pending charges, or they might not be interested in participating. Given the consistency and audacity with which some gang members, particularly those in Memphis, publicize their gang-related activities on social media outlets, it was hard to tell whether reluctance to participate would occur in this study; however, that possibility could not be ignored. Another limitation related to reluctance to participate was that if gang members decided to participate, there was a possibility that they might not be completely honest, which could interfere with the validity of the data. There may be no way to determine whether someone is being truthful or not; however, all over exaggeration in speech could help reveal dishonesty.

### **Scope and Delimitations**

The scope of this research was to study the effects of the gang injunction on the lives of residents of the Memphis community, as well as gang members served under the injunction, and law enforcement officers tasked with enforcing the gang abatement

method. Whether the effects were positive or negative, I wanted to determine how gang injunctions could be made more effective and benefit the community. The implementation of the gang injunction did not include community resources, so I wanted to introduce those resources to the neighborhood. I wanted to determine whether the community would be open to receiving and taking advantage of those resources, and in doing so whether consistency in making community resources available would eventually begin to eliminate some of the major causes of crime, such as poverty.

Delimitations that occurred during the planning and implementation of the study included moving from a planned face-to-face method of collecting interviews to an anonymous phone call method to eliminate any fear of retaliation from participation. This limited the participation level in the study but did not present any other problems in conducting the study.

### **Significance**

This study was significant in that I wanted to highlight the voices and experiences of all those involved in the gang injunction, from the community residents who saw a fluctuation in crime and gang presences to law enforcement officers who enforced the injunction. I also wanted to highlight the inclusion of community resources that residents were mentioning in their interviews. These things were important to demonstrate to policymakers that the voices of the people they serve matter and policymakers' decisions are not always as successful as they portray in the media. I wanted to also inform the criminal justice field that listening to the people they serve is just as important as making policies that can be potentially harmful.



## **Conclusion**

In this chapter, I provided an introduction to and history of gangs, presented the research problem and purpose of the study, and the basic theoretical sign work of this study. In Chapter 2, I discuss prior studies that led to this work, methodology, and the history of gang injunctions, all of which will reveal the rationale for the current study.

## Chapter 2: Literature Review

### Introduction

In this chapter, I introduce the literature that both compliments and justifies the current study. To find sources for this study, I used the following search terms: *gangs, gang injunctions, criminological and sociological theories, gang injunction effects/effectiveness, Memphis and California gang injunctions, history of gangs/gang injunctions, Memphis and Tennessee gangs/gang injunctions, Riverside Rollin 90s Crips/Rollin 90s Crips, social disorganization theory, social control theory, social constructionism, and phenomenology*. These terms helped in gathering a plethora of literature on topics paramount to this study. Search databases included Google; Google Scholar; and Walden University library databases featuring Sage Publications, J-Store, Thoreau, Lexis Nexis, and several scholarly journal publications.

In this chapter, I focus on gang injunctions, gangs, poverty, and the methods used to combat these issues. Next, I reveal the implications of prior studies, as well as gaps in the literature that led to the current study, followed by the presentation of the major theoretical framework of the study, along with a brief discussion of other relevant theories. The chapter closes with an introduction to the next chapter, which features the methodology driving the study.

Prior studies of gang injunctions have failed to give a voice to the gang members, community residents, and local law enforcement officers living and working in enjoined communities. Additionally, a lack of viable community resources, along with the injunctions, have given gang injunctions less long-term success as they ban gang members from certain activities and have only worked to push those activities from the

enjoined community to the next community, essentially spreading the crime from one area to another. In this study, I highlighted the importance of revealing the thoughts and feelings of community residents, gang members, and local law enforcement in the community and the offering of community services that are needed to thrive. I sought to inform local criminal justice agencies and scholars in the field of criminal justice on the importance of attacking the underlying issues of crime and poverty in communities as opposed to imposing restrictive policies that could hinder the community instead of helping.

### **Literature Review**

The minimum number of persons required to make up a gang varies from state to state, for example, only one in Arizona, three or more in California and Tennessee, and five and six in Kentucky and the District of Columbia, respectively (National Gang Center, 2016). In California, a gang is defined as having as one of its primary activities, the commission of one or more of the criminal acts and whose members, individually or collectively, engage in or have engaged in a pattern of criminal activity (National Gang Center, 2016). In the Tennessee Code, a gang has one of as one of its activities, the commission of criminal acts, and two (2) or more members who, individually or collectively, engage in or have engaged in a pattern of criminal gang activity (National Gang Center, 2016). These two examples of what constitutes a gang, as well as the definitions of gangs in other states, are not much different from each other, just as the historical growth of gangs has not changed much from their inception in the early 19<sup>th</sup> century to the present.

Some gangs started out as protectors of their neighborhoods and grew among growing racial tension. Through poor housing development, poverty, and other issues plaguing low income communities, the various gangs began to turn on each other, creating territorial rivalries instead of protecting the communities from outside antagonists. This practice continues as criminal gangs destroy communities from the inside out, leaving all manner of violence in their wake from home invasions to lost lives. Gangs are not confined to one section of the neighborhood. Multiple gangs can coexist in the same communities, wreaking havoc in their self-proclaimed territories and clashing as they cross boundaries into other areas in an effort to increase their influence. Gang injunctions were created to attempt to fight the spread of these entities and restore order to the communities in which they reign.

Historically, there was a decades-long pattern of dysfunctional families, racial tensions, political corruption, systematic poverty, and slum-like living conditions that fed gang growth. Shariff-Bey (2013) studied systematic racism and how it contributed to the denial of equal opportunities for minorities, specifically Black men. Jim Crow laws led to redlining, predatory lending practices, and other practices that have hindered the upward movement of minorities in the Southern states and nationwide. Shariff-Bey also cited inadequate job opportunities and subsequent unemployment as pathways into social disorganization, crime, and gang involvement. Shariff-Bey concluded that there were relationships between gender, educational level, family, and gang crimes.

Family members who are involved in gangs and/or nongang criminal activities can pose an influence on other family members (Hautala, Sittner, & Whitbeck, 2016). There have been many instances of parents and other family members who have not

addressed the criminality of their children and adult family members who are involved in gang life, because the gang lifestyle is financially beneficial to the household. It is not until a crime is perpetrated against them that they begin to themselves experience the downside of the gang life. When gang prevention methods like gang injunctions are implemented, these families can become more broken when they cannot cohabitate or fraternize in their communities (Swan & Bates, 2017).

The link between familial influence and gang activity was examined by Aldridge, Shute, Ralphs, and Medina (2003); Maxson and Whitlock (2002); and Vigil (2007). Aldridge et al. pointed out that permissive parenting, abusive male family members, and nonexistent community bonds can fuel gang membership. Maxson and Whitlock posited that gang involvement can be a way of life—an extension of carrying on a negative family legacy. This legacy can be broken by gang injunctions when multiple family members are enjoined under the ban. Vuk (2016) explored parenting styles and the risk factors that certain types can lead to gang membership. Lack of discipline in the home, along with lack of supervision and monitoring, can all be risk factors for a person's desire to join a gang (Vuk, 2016), as can be evidenced by growing youth violence in Memphis, Tennessee (Chapman, 2017). Other factors have also been studied as gang membership risk factors.

Jackson (2016) cited a few of these prior studies while discussing risk factors for American youth, such as crime-ridden dilapidated neighborhoods and easy access to drugs. Jackson mentioned additional risk factors like family dynamics, which could mean anything from broken homes (i.e., divorced or never married and/or absent parents, tense sibling relationships, or immediate family members who also participate in criminal

activity or are gang members) to intense peer pressure. Peer factors, such as friends who engage in antisocial behavior and commit crimes, can also contribute to peer gang recruitment (Jackson (2016). Regan (1996) also discussed these risk factors as gang membership risk factors. Regan asked teens in a treatment facility for male juveniles to give free responses to reasons why they joined gangs. The high percentage reasons included the need to gain a surrogate family, a need for power, to experience excitement and fun, to gain opportunities to commit crimes and engage in other antisocial behavior, familial gang ties, protection and security, and environmental factors (Regan, 1996). Other risk factors that showed smaller percentages included monetary reasons, peer pressure, and revenge (Regan, 1996). Protection and security were two of the risk factors mentioned by Gravel et al. (2018). In discussing this risk factor, Gravel et al. concluded that kids and teens who join gangs to avoid becoming their targets. Good kids might, out of fear of being victimized by gangs, may join gangs and become the victimizers themselves.

Rodriguez (2014) discussed how teens might view the perceived power of inciting fear in others through violence as a contributing factor in gang membership. Childhood trauma is often studied, but the least discussed when researching why a person chooses to join a gang. Childhood trauma can include mental, physical, and psychological abuse, as well as witnessing this type of abuse (Rodriguez, 2014). Inhumane living conditions, lack of equal and adequate educational opportunities, racial tensions that include disparaging minority and poor youth in the eyes of society, and lack of viable community resources in low income communities all remain as risk factors in gang membership, according to Barajas (2007). All of these risk factors may lead to a theory that, although was not the

main theoretical framework for the current study, deserves to be referenced because of its relationship to gang recruitment and subsequent membership.

The social disorganization theory has been a popular theory for researchers to cite when discussing the core causes of crime. According to the social disorganization theory, those who do not follow social norms may be prone to crime, and socioeconomic circumstances play a role in the emergence of criminality (Lynch & Boggess, 2016). Originated in and built upon by theorists from the Chicago School in the early 19<sup>th</sup> century, the social disorganization theory includes a focus on the location of crime-ridden, low-income, and blighted urban areas that feature an ever-changing population of minorities (Lynch & Boggess, 2016). The people change, moving to areas that are better for them or perhaps the same; however, the lack of job opportunities and/or lack of job skills training, low-quality education, and dilapidated communities persist. When the frustration of these circumstances sets in, crime can occur.

One of the purposes of this current study was to offer a variety of life-changing services in one Memphis community suffering from gang activity and violence upon which a gang injunction has been placed - the South Memphis Riverside community. The gang injunction was implemented to alleviate the persistent and violent gang activity of the Rollin 90s Crips (Phillips, 2013); yet, the neighborhood has been the victim of one of the facets of the social disorganization theory: one gang moved out due to the injunction, but gang activities by those unaffected by the injunction, moved in. The gang injunction pushed out the enjoined gang but did not account for the other gangs surrounding the community that would eventually take the place of the Rollin 90s Crips.

The Tennessee statute declares certain gangs and their members a nuisance in whatever community they reside and commit crimes (TCA, 2017). The gang members named in the injunction have certain actions banned such as fraternizing in public with fellow gang members and within the safety zone, committing gang-related crimes within the zone, and loitering in spaces in which they carried out their crimes (i.e., local parks, community centers, and corner stores (TCA, 2017). The gang members listed under the injunction are given the option to opt out provided they can prove that they have not engaged in the aforementioned practices and have not been arrested in 2 years; however, opting out is difficult because their criminal histories and association with the gang is what was used to name them in the injunction. It would be easier for the gang members to leave the injunction zone and commit their crimes elsewhere without the threat of immediate arrest within the injunction zone.

Incivility and disorder in communities were the foundation of the broken windows theory, introduced by Wilson and Kelling in the early 80s (McKee, 2013). This theory, along with contemporary gang theory, gave birth to civil gang injunctions (Allan, 2004). Community prosecution, combined with civil remedies, render gangs and their known members nuisances within the communities that they inhabit (Allan, 2004). Gang injunctions were first introduced in California in the early 80s against properties in which gangs carried out their activities, but injunctions against gangs themselves were first introduced in 1987 (Allan, 2004). That injunction was against the Playboy Gangster Crips, and unlike current injunctions that might cover a neighborhood, this new form of injunction covered the entire city of Los Angeles (Allan, 2004; Feldman, 1987).



The second gang injunction was issued 5 years later on the Barrio Elmwood Rifa Gang in Burbank, California and was centered on just one city block (Allan, 2004). This second injunction was the first to ban fraternization between enjoined members (Allan, 2004; Whitmer & Ancker, 1996). Since these first two gang injunctions were enacted, California has risen to the forefront of this gang abatement method, and in 2010, reported over 150 injunctions in place (Loewenstein, 2013). However, a large number of injunctions does not speak to their level of effectiveness and constitutionality. There have been numerous arguments against injunctions, and there has been backpedaling in California leading to the release of thousands of enjoined gang members (Queally, 2017). A history of lawsuits against gang injunctions is documented in various studies.

Atkinson (2006) discussed a number of gang injunction public association lawsuits, including the *People ex rel. Gallo v Acuna* (1997), in which an injunction against over three dozen gang members was upheld even as it caused a burden over the community in which it was implemented and *In re Englebrecht* (2001) where public association and geographical boundaries were challenged and upheld. Likewise, upheld was an unincorporated association clause against the Colonia Chiques gang in Lompoc, California (Atkinson, 2006). This same gang and the injunction against them were the subject of an article by Barajas (2007). Barajas raised concerns over the civil liberties of enjoined gang members citing the juxtaposition of civil remedies as criminal and the lack of due process under criminal law for enjoined gang members. More constitutional issues with gang injunctions were raised in other studies.

A couple of the most opposed provisions of gang injunctions were the ban against fraternization and a curfew that forced the enjoined to be homebound from 7pm to 7am

(Harward, 2015). There have been various lawsuits citing these clauses in gang injunctions, not only in California, but in other states using them (Allan, 2004; Baker, 2013; Fretland, 2016; Hernandez et al., 2013). One such lawsuit in Echo Park, California pitted a man who claimed he was wrongly targeted for being a gang member against the local district attorney's office and law enforcement (Mather & Queally, 2017). The man claimed he was unable to spend time with his family in public, as his father was also named in the injunction, without fear of arrest (Mather & Queally, 2017). Prior to the Echo Park lawsuit, in Orange County, another California town, members of the Orange Varrio Cypress gang fought an injunction that was so broad that it included specifically named members and other members who were not named, but known to associate with the gang (Harward, 2015). Several gang members, juveniles and adults alike, who had been released from the injunction were reenjoined permanently, causing a class action lawsuit against the Orange County District Attorney's office (Harward, 2015). A victory was won when the courts found that the DA's office violated the due process rights of everyone served under the injunction (Harward, 2015).

This gang and the subsequent lawsuit were the subjects of a 2013 study conducted by Hernandez et al. explored the negative impacts of the gang injunction placed on the Orange Varrio Cypress gang. Hernandez et al. sought to give insight on gang injunctions and their effectiveness based on the perspectives of those enjoined under it. Hernandez et al. focused on the experience of one participant and how the participant recounted how he was labeled as a gang member at a young age via the state's gang database and how that carried over into adulthood (Hernandez et al., 2013). The participant claimed that he and many other people had been falsely labeled as gang members and were not associated

with the gang and their activities (Hernandez et al., 2013). Hernandez et al. later cited that the injunction's prohibition against fraternization affected the ability of the enjoined members to be with other family members who might have been included in the injunction as well—a demonstration of how injunctions affect sociofamilial relationships.

Gang injunctions threaten the security of the community via broken familial connections (Hernandez et al., 2013). Hernandez et al. (2013) concluded that these familial breakdowns, and many other potentially unintended consequences, taint the effects of gang injunctions. One consequence that is expected of gang injunctions is that they will cause a decrease in gang activities in the enjoined area. Many prior scholars have discussed the data associated with gang injunctions and crime where those injunctions are implemented; however according to Hernandez et al. and several other researchers, there have been some ambiguities in those numbers.

Some scholars have cited the effectiveness of gang injunctions based on decreases in crime in the affected areas, but there were others who cited the opposite (Grogger, 2002; Hennigan & Sloan, 2013). Hennigan and Sloan (2013) pointed out that the decreases could be due to the unwillingness of residents to make service calls due to the police presence that the injunctions bring—a point also made by Hernandez et al. (2013). Swan and Bates (2017) also noted inconsistencies in various studies, including two done by the same authors, but which produced different results—the first against the effectiveness of injunctions and the second one for it. Swan and Bates studied the effects of gang injunctions on the community residents and gang members; however, they did not implement the suggestions made by prior studies. Swan and Bates interviewed several people who had been included under not only a gang injunction in San Diego

County, but had also, for years, been included in a gang database that effected their lives in many aspects for several years

One of the issues that Swan and Bates discussed was the core of this study– the breakdown of socio-familial relationships (Swan & Bates, 2017). Several of the participants interviewed by Swan and Bates discussed how they were unable to maintain social relationships with friends and family members who were also named under the injunction and database, which put even more strain and pressure on them while trying to comply with injunction’s guidelines. Other complaints centered on lack of adequate employment due to their status of being enjoined, lack of educational and job training opportunities, and lack of affordable housing. Race and social control were also discussed in the work. The authors concluded that these consequences presented as hidden harms of gang injunctions, and therefore lessened the positive effects that a gang injunction could possibly demonstrate.

Another issue brought on by the injunctions was that of race and social control (Ochoa, 2018). In Ochoa’s study on the relationship between criminalization, racial boundaries, and gang injunctions, Muniz asserted that the original 1987 gang injunction against the Playboy Gangster Crips was actually a means of controlling the racial boundaries of the neighborhood, which was surrounded by more affluent and predominately white communities like Beverly Hills. While this issue was not the focus of this current study, it is certainly worth mentioning as an alternative underlying reasoning for implementing an injunction in that area where crime statistics were not as significant as other areas of the city. The Muniz also pointed out the ambiguities in the data relating to the effects of the gang injunction. Barajas (2007) also touched on this

subject in a gang injunction study in which a Chicana/o community opposed an injunction based on the perception that it had been implemented to protect the revitalization of the city's downtown district by controlling the movements of the Colonia Chiques Gang. Given this point being made in numerous studies, it is important to note that if gang injunctions are used as a means of social control, not crime control, and add to this the disregard for the underlying issues that can lead to crime, the lackluster, short-term effects of gang injunctions are not surprising.

### **Social Construction Theory**

The social construction theory is one that can be applied across a plethora of disciplines from literary theory to sociology (Scott and Marshall, 2009). Introduced in 1966 by Berger and Luckmann, the social construction theory can be interpreted in various ways, depending on the usage, but to demonstrate its relevance to this study, it will be discussed in two ways: (a) the construction of a person's own realities and how these realities manifest physically and (b) how the social construction of these realities shape society. Proponents of the theory argue that a person's interactions in society shape their reality (Scott & Marshall, 2009). For example, a kid hanging out with other kids from his neighborhood might adopt the same type of dress or other like-minded attire could be seen as a budding gang member, but he could also be part of a sports team or other entity in which dressing alike is the norm.

In Tennessee, a gang is defined, loosely, as a group of 3 or more persons who resides in or frequents a particular criminal gang's area, adopts their style or dress, their use of hand signs or their tattoos, and associates with known criminal gang members (National Gang Center, 2016). Also included in this definition is the admission of

criminal gang involvement through various means, but the interactions of the gang and its members are relevant to the theory of social construction and the realities that are created by individuals and societies. The creation and constant perpetuating of these negative realities continue throughout generations and continue to be a bane on individuals and society until someone or something comes along and attempts to dismantle them.

Though on one hand gang injunctions are a viable plan for eliminating gangs, or at least cutting down their activities in communities, implementing them without positive reinforcements have led to short-term success. Prior studies have concluded that certain community resources should be implemented along with the gang injunctions to make them more feasible (Maxson, Hennigan, and Sloan, 2005). In studies on social construction and policymaking, Pierce, Siddiki, Schumacher, Pattison, and Peterson (2014) and Ingram (2007) stated that the theory was created to better understand why policies sometimes fail in their purposes of solving public problems. At the theory's core is who gets what, how and when; and there are positive and negative connotations attached to what is given (Pierce, et al, 2014). Eight assumptions broken down into three categories make up the foundation of the social construction theory: (1) model of the individual; (2) power; and (3) the political environment (Pierce, et al, 2014).

The first four assumptions that make up the model of the individual assume that (1) generally, people are unable to disseminate every piece of information give to make decisions, so mental shortcuts are utilized to determine what is important enough retain; (2) what is retained and understood is based on one's personal beliefs and values; (3) those beliefs and values are formed based on one's socially constructed realities; and (4) those realities are based on one's perceptions of their very real environment (Pierce, et al,

2014; Jones, 2001; Simon, 1996; North, 1990; and Edelman, 1988). The fifth assumption relates to power given that it is not equally distributed among individuals within a political environment (Pierce, et al, 2014; Bachrach & Baratz, 1962; Lasswell & Kaplan, 1950; and Lukes, 1974). This three-dimensional assumption of power concerns itself with observable behavior, influence, and power - both seen and unseen - and how ideologies can be used to make connections with those who share them to influence policy (Pierce, et al, 2014). The last three assumptions focus on politics and policy in that (6) policymaking is a circle that continuously leads to more politics and policy; (7) these continuously revolving policies affect their target populations' lives in every aspect, influencing their movements in society, and (8) policies are created in an environment of political uncertainty (Pierce, et al, 2014; Lowi, 1964; Schneider & Ingram, 1991; and Kingdon, 1984). The three categories, along with their eight assumptions, culminate into two core propositions within the social construction theory.

The target population proposition deals with the facet of social construction that says who gets what, how, and when. Here, what matters is the level of political pull by the target population, and whether their overall social construction is positive or negative (Pierce, et al, 2014 and Ingram, 2007). For example, a well-kept, middle class suburban neighborhood might reap better rewards via policy than a blighted, lower class one. In essence, for the purposes of policymaking, the target population's policy benefit-to-burden ration is based on their societal perception (Cairney, 2017; Pierce, et al, 2014). That societal perception is a consequence of the second proposition, feed forward.

Nine elements make up the feed forward proposition: (1) target population, (2) definitions of goals and problems to be solved, (3) rules, (4) rationales, (5) assumptions,

(6) benefits and burdens, (7) tools, (8) implementation structure, and (9) social construction (Pierce, et al, 2014). As policy drives how target populations are treated and perceived, the consequences of the feed forward proposition begin to manifest tangibly through the benefits for some and burdens for others (Pierce, et al, 2014). Regarding gang injunctions, this policy targets two populations, the gang members and the community residents. Rules and rationales are given to both groups, and thereafter assumptions are made about the intent and effects of the policy, that policy then becomes a burden for the gang members and somewhat of a benefit to the community residents. The implementation structure is demonstrated through increased patrols, monitoring, and subsequent arrests. The gangs members either resign to their fate under the injunction, opt out or move on to other un-enjoined communities to continue their activities there, having been labeled as a gang member and criminal, but given no resources to help deconstruct, then reconstruct, what has become their reality. Policy makers benefit as well by successfully implementing a policy that tackles gangs and their criminal activities – a well-known public problem – which is an implementation that will garner them many accolades and perhaps funding for their organizations.

### **Conclusion**

The methodology of the current study revealed, from the perspectives of residents and enjoined gang members of the Rollin 90s Crips, how this particular policy affected them, what they would have done in lieu of or in conjunction with the gang injunction, and if the introduction of tangible resources into their community would have added to the longevity of the gang injunction's effects.



## Chapter 3: Research Plan

### **Introduction**

Prior studies on gang injunctions have centered around the gang abatement method's effectiveness based on increases and decreases in crimes, service calls, and arrests (Guthmiller, 2015; Guay, 2015; Quevedo, 2016; Viscarra-Estrada, 2016). Although there have been qualitative studies on gang injunctions, researchers have focused on secondary data and rarely the perspective of those affected by gang injunctions. In this study, I attempted to fill the gap in the literature by providing these perspectives. The purposes of this empirical, phenomenological study were to (a) explore the effects of the gang injunction based on the lived experiences and perspectives of the community residents, enjoined gang members, and local law enforcement and (b) observe the effects of viable community resources when implemented alongside the existing injunction.

The chapter begins with the research design being discussed along with the rationality as to why it was appropriate for this study. The methodology comes next in the chapter with a discussion on future replications of this work. The role of the researcher and any biases and potential ethical issues and remedies to those issues are then introduced. Finally, issues of trustworthiness round out the chapter followed by a transition into Chapter 4.

The approach for this study was aided by anonymous phone interviews, as well as my own observation. As a result of this approach, I hoped to answer the following research questions:

RQ1: How has the gang injunction in Memphis, Tennessee affected the dynamics of the community in terms of sociofamilial connections (i.e., family-friend relationships when gang membership is involved)?

RQ2: How has the civil gang injunction in Memphis, Tennessee affected gang member behavior (i.e., ceasing of gang activity, migration to other communities, indifference)?

RQ3: What is the overall efficacy of civil gang injunctions in the neighborhood based on the perspectives of community residents, gang members, and law enforcement officers who help enforce this injunction?

RQ4: How will the introduction of community resources be received and used to increase the long-term effects of gang injunctions while also increasing the quality of life in the community?

The aim of this work was to inform law enforcement and district attorneys' offices, both locally and nationwide, by putting into practice the suggestions of prior studies and demonstrating the level of willingness that gang members and community residents have in embracing life-changing resources rather than those that to hinder the community and its residents, law-abiding, and gang-affiliated alike.

### **Research Design and Rationale**

The central phenomenon studied in this work was the (Memphis, TN) gang injunction against the Rollin'90s Crips, which was implemented in 2013 (Phillips, 2013). A gang injunction bans gangs and their targeted members from normal activities, such as being seen together in public, to abnormal ones, like committing criminal gang activities.

The abatement method is meant to cease criminal gang activity committed by gangs, which can become a serious nuisance in certain communities.

In its 30-plus-year history, gang injunctions have been used not only in the originating state of California, but nationwide, including in Memphis, Tennessee that has six injunctions in four communities (Crenshaw, 2017). The gangs targeted under these injunctions are the Rollin' 90s Crips (Riverside-South Memphis-2013), the Dixie Home Murda Gang and 47 Neighborhood Crips (Medical District-2014), FAM MOB (Frayser/Ridgecrest Apartments/Greenbriar Apartments-2015), and the Vice Lords and Grape Street Crips (Binghampton-2016; Multi-Agency Gang Unit, 2017). Thus far, the numbers of arrests in the injunction safety zone have fluctuated but remain unremarkable in their decreases when compared month-to-month. For example, during the month of September 2013 (i.e., the month of the injunction's implementation), there were 58 recorded arrests, but over the next few months, arrests only went down slightly with 54, 56, and 52 arrests in October, November, and December, respectively (Multi-Agency Gang Unit, 2016). Slightly more significant numbers were demonstrated on an annual basis with September 2014, 2015, and 2016 showing variations in the numbers at 39, 27, and 29, respectively (Multi-Agency Gang Unit, 2016). Part 1 crimes (homicide, rape, robbery, assault, burglary, motor vehicle theft, arson, and aggravated assault) saw an over 50% decrease from December 2014 (31) to December 2016 (Multi-Agency Gang Unit, 2017).

The success of the gang injunctions was lauded in 2017 in a news story on their effects in the neighborhood, where reports from at least two residents commented that the gang violence has really slowed down and that the Rollin'90s Crips been chilling

(Crenshaw, 2017). The injunctions have been helpful as declared by the local District Attorney's office; however, more perspectives were needed to determine its effects. It was important to present the perspectives of as many residents, gang members, and law enforcement officers as possible to gain the full scope of the effects of the gang injunction. It was necessary for an empirical, phenomenological method to be employed to achieve the most accurate results of the injunction

### **.Empirical Phenomenology**

Phenomenology is a century-plus old philosophy introduced by Husserl in 1900 (Moran, 2002). Since its introduction, phenomenology has taken on many different interpretations by philosophers worldwide (Moran, 2002). At its core, phenomenology can be defined as a philosophy that explores a person's experiences (Moran, 2002), which deemed it appropriate for this study. Through epoch and reduction, the method of phenomenology, I opened myself, as the research and participant-observer, to the prereflective experiences of community residents and gang members as they relate to the gang injunction. I brought and bring meaning to those experiences by using them to determine the overall effects of the injunction.

### **Role of the Researcher**

As the researcher in this study, my role was defined as an observer. Not only did I interview participants in this study, I also observed my community service organization, Perfect Harmony, in offering their mobile services and other resources to the community and observed the willingness of participants to accept and use these services and how these services could help them rebuild their lives mentally, physically, and financially. I was aware that my position as the only gang unit victim witness coordinator in the city

would place me in the company of potential participants who may have had or currently had contact with my office as victims, witnesses, or defendants. This did not pose an issue as I informed all participants that their participation in this study had no effect whatsoever on any pending cases. My sole responsibility as the researcher was to approach potential participants as a researcher, not as an employee of the district attorney's office. My aims were to progress my study and enact positive social change by assisting in the application of services for the betterment of all participants in the community. No promises, influences, or intimidation of any kind were made or implied. It was the sole decision of the participants to complete the interview or not, and complete anonymity was offered to all participants. Once participants decided to be interviewed, I took the necessary steps to offer a consent form, which detailed that no identifying characteristics, such as names, would be used in the study. Verbal consent was given by phone, as well as an addendum that no pending cases or charges related to my office would be discussed at any time. These conditions were in place for all participants gang members, non-gang-affiliated community residents, and law enforcement officers alike.

### **Target Population**

The target population for this study was the community of Riverside located in South Memphis, Tennessee to include non-gang-affiliated resident, active/nonactive gang members, and local law enforcement. Participants were 18-years-old and over, had lived and/or worked in the community before and during the implementation of the 2013 gang injunction, and had personal experience and knowledge of the neighborhood and its activities during that time period. The target population consisted of seven participants made up of gang, non-gang-affiliated residents, and local law enforcement serving the

area. The gang-affiliated participants belonged to the Rollin' 90s Crips gang or other gangs that might have been affected by the gang injunction or had enjoined family members or friends. An e-number was provided to facilitate the anonymous interviews. The length of the interviews was determined by the participant based on their answers, whether short or long, but the average length was 10 minutes. The method used to recruit was door to door canvassing in the community to gain potential participants' interest in the study, and interviews were conducted via phone only to maintain anonymity.

### **Instrumentation**

Interviews were recorded using an audio recorder embedded within the e-phone app. All interviews were then transcribed by hand. Secondary data received from the Multi-Agency Gang Unit to gauge the effectiveness of the gang injunction were used to compare with the interviews and determine the gang injunction's overall effects. The secondary data were collected initially by the Memphis Police Department via their dispatcher department, as well as nonemergency calls to the nearest police precinct and call logs. The data were then compiled into reports for Multi-Agency Gang Unit to be presented to stakeholders like the district attorney's office and city leaders. I obtained the data via an e-mail request to the gang unit and received it in the same manner. The secondary data were not used to answer my research questions, but to supplement the perspectives of the participants. An interview guide created for the study was used to help keep the interviews on track and can be found in Appendix A. Questions not included in the interview guide were derived from answers given for the included questions and were recorded and written down in a research journal. The guide questions were geared toward

residents with additional questions added for gang members who might be enjoined under the injunction.

Content validity was ensured in many ways. First, it was paramount that I establish trust with in the community, especially because I do not live in that part of town. I did this by canvassing the injunction zone on several occasions and speaking with business owners and the local community center director who allowed me to leave flyers to be picked up by potential participants. Recording the interviews and taking notes helped to ensure the accuracy of the answers. Transcribing the interviews and listening to the recordings more than once to ensure that I used the participants' voices, and not my own interpretations, also helped to ensure the validity of the data collected. The interview guide questions were developed directly from the research questions so the research questions would be sufficiently answered during the data collection and analyzation process.

As the sole researcher for this study, it was my duty to conduct the interviews with the participants. Services were introduced by Perfect Harmony 6 weeks after participant interviews started. Those services included assistance with driver's license reinstatement; criminal record expungement; jobs/education training; as well as opportunities for job training, job placement, and educational training. Interviews were conducted via phone anonymously. Once the interviews were collected and transcribed, they were coded to find themes that pointed to the overall efficacy of gang injunctions. This efficacy, both positive and negative, was based on the sociofamilial effects of the injunction as well as themes derived from the responses of the participants (i.e., their thoughts and experiences in relation to the phenomenon).

Thematic analysis is a qualitative method for uncovering a collection of things... within a dataset (Fugard & Potts, 2015). Thematic analysis was appropriate for this work because it is common for this type of qualitative phenomenological study. Although I could not predict the answers that were given for my research questions, I did expect to find similar patterns in the data because the entire community was enjoined under the gang injunction and was deemed a safety zone. Some community residents were affected positively by way of decreased gang-related activities and crimes, and some enjoined gang members were affected negatively due to increased arrests brought on by increased police patrols and monitoring. Searching for themes within the various responses helped me to put the effects of the gang injunction into perspective and determine whether the introduction of community resources was welcome, used, and created something that the gang injunction did not: positive social change. Discovering themes and creating codes from the data gave my audience and I a broader picture of gang injunctions and their sociological effects.

### **Data Analysis Plan**

I intended to dissect each interview and discover words and phrases that were created into codes to determine the effects of the gang injunctions based on individual perspectives of the participants, which revealed an overall view of the phenomenon. I allowed the data collected to drive the coding method, rather than attempting to guess what method(s) would fit with this work. The coding methods that I considered were as follows: for first cycle coding, two methods, (a) elemental, where I used the NVivo coding method, which helped keep the data rooted in the participants' own words and (b) affective, where I used emotion coding, which helped me to label the emotional



experiences by the participants (Saldaña, 2015). These two coding methods helped me to present results that were as authentic and valid as possible. Next, I worked on finding themes from the codes created by the two methods. Theming the data at this point allowed me to discover more meaningful results by elaborating on the meanings of the extracted codes.

### **Issues of Trustworthiness**

Following the appropriate and proper procedures for collecting and analyzing the data helped me stay on the path of ensuring trustworthiness of the data. Properly transcribing the interviews nearly verbatim and comparing the transcripts to the recorded interviews helped bring more credibility to the work and made it easier for coding and thematic analysis. I intended to highlight the lived experiences and perspectives of the enjoined residents; thus, it was paramount that authenticity of their responses be properly relayed in this study.

Random sampling was the only method considered for this study because all participants were anonymous. This method of sampling adds more credibility to the study as well as eliminates instances of bias on behalf of the researcher (Shenton, 2004). Other methods of demonstrating credibility and trustworthiness were determined by the comfort level of the participants. The awareness that their participation in the research would have no bearing on any pending cases, ensuring their anonymity, and allowing them to decide on their own whether to participate, with no pressure or significant incentive, may have helped them to be more open and honest in their responses. Enlisting the help of colleagues and other peers in academia to review the findings and offer feedback also allowed for more overall credibility in my work.

Replicability of this work will be simple, as the work itself was replication of the few past studies covering the topic of gang injunctions and their effects, with the added dimension of community resources. In the future, I may consider implementing a new form of the study in other areas of Memphis where gang injunctions have been implemented on a more long-term basis until the services provided in the study by Perfect Harmony can be widespread throughout the city and statewide. The eventual goal is to help the residents of Memphis-gang and non-gang-affiliated alike to change their own negative circumstances and move away from the negative constructs of society that lead to crime, poverty, gang life, and other negative social constructs that plague society. This research was set up to become a model for future studies and to inform law enforcement and the local district attorneys' office on the implementation of restrictive policies like gang injunctions.

### **Ethical Procedures**

Throughout this work, various procedures and methods have been described regarding ethical concerns. Being as honest and open on my part regarding my various roles was important to alleviate any biases when interviewing the participants. Clear verbal consent allowed participants to make the decision to participate using their own judgment. Thoroughly explaining the aims of the research helped them to make that decision and there was no pressure in either direction on my part. A form guaranteeing anonymity was read to all participants before gaining their verbal consent. I expected a myriad of responses and attitudes from participants ranging from open and honest to reluctance and refusal to continue; however, that was not an issue with most of the participants. All data, once analyzed and no longer needed, will be stored in a private

location for 3-5 years, and subsequently shredded. There were no further ethical concerns to consider for this study.

### **Conclusion**

In this empirical, phenomenological study, I aimed to explore the lived experiences of South Memphis, Tennessee residents, gang members (active and nonactive) and local law enforcement with relation to the Rollin' 90s Crips gang injunction implemented in September 2013. The goal was to determine the sociofamilial effects and behaviors of both community residents and enjoined gang members. I wanted to explore the effects of community resources being introduced by local community service organizations and how these resources could contribute to the longevity (or cessation) of the gang injunction, while also in enacting social change. The actual processes and implementation of study proceed in the next chapter

## Chapter 4: Data Collections and Analysis

### **Introduction**

The purpose of this empirical, phenomenological study was to determine the effectiveness of the 2013 gang injunction based on the perspectives of those living and working in the area, especially those served under the injunction. Data collections were to originally include 15-30 face-to-face interviews from three groups in the enjoined community to include community residents, gang members, and law enforcement. However, due to the potential danger of retaliation towards residents and gang members participating, the decision was made to conduct anonymous phone interviews. This made data collection difficult. The following is a detailed timeline of the data collection and the analysis of the data collected thus far.

Data came from five community residents, one gang member under injunction, and one law enforcement officer. In the initial analysis of the data collected, I found several views of the gang injunction that ranged from those who had no knowledge or would not acknowledge the gangs or gang violence in the neighborhood to those who have continued to observe gangs/gang activities post injunction and felt the injunction held no weight in the community. Overall the interviews drew mixed feelings about the gang and gang violence and the gang injunction itself. The first two interviews came in the form of one phone call in which I spoke with the first participant; then the call was passed to a second person. These two men stated that they have been living in the community for 18 and 42 years respectively. Neither would admit to gangs in the community but alluded to “beefs” between younger guys in the neighborhood. The first participant stated that the neighborhood was “quiet for years before everything broke

loose.” According to him the neighborhood was “quiet now save for occasions where somebody would be “stupid.” He then began talking in the background to the second participant and subsequently passed him the phone before I could end the interview with him. The second participant also downplayed the gangs and gang activity, calling those activities “beef” between guys rather than calling it gang activity. He did acknowledge the Rollin’ 90s Crips and Gangster Disciples but stated that people “just wanted to affiliate with certain things.” Regarding the gang injunction, the participant said that it “really didn’t affect crime or violence” in the area. He denounced that the injunction was implemented, and that the neighborhood was publicly deemed as having a gang problem. Although the neighborhood having a documented gang problem might have been true, the participant’s perspective gave credence to the main theory of this study—social construction-wherein the Rollin’ 90s Crips were publicly deemed a nuisance by local law enforcement and district attorney’s office, and the gang injunction was implemented as a solution to that nuisance.

The participant claimed that the injunction affected the neighborhood negatively as it caused the violence and beefing to migrate throughout the neighborhood when it had been initially confined to one or two streets. He stated that the community has a drug and poverty problem more than a gang problem and that the district attorney and law enforcement should have implemented community programs rather than an injunction. The main theme that came from these two interviews was the downplaying of gangs and gang activity, although these men had lived in the neighborhood for significant amount of time. Mixed reviews came from these interviews as one said the neighborhood was quiet

now with little breakouts while the other spoke of the continuing violence. Neither were personally affected by the gang injunction.

The third interviewee had only lived in the community for 1 year, more than 5 years after the injunction had been implemented. She had no knowledge of the gang injunction and said she had never seen gangs in the area. She had no issues on her street and said that the neighbors all looked out for each other. There was no substantive information yielded from this interview given that she had no knowledge of the gangs or gang injunction in the area. Her “quiet” and safe street does, however, mimic the sentiment of the first participant. The fourth participant gave a frantic interview. She lived in the neighborhood for 20 to 25 years. This participant spoke of shootings and break-ins in the area and a general lack of care and pride in the neighborhood. She was unaware that the gang injunction was still in place and expressed surprise of its indefinite implementation. She expressed that she felt safer when the injunction was first implemented because police presence was high during that time. She also stated that the police presence has decreased over time and that the neighborhood had reverted back to its preinjunction days, although not with as much force. She stated that she noticed a quick response by officers in the early weeks and months of the injunction to gang members who were served under the injunction saying that the police “would pull men over who just had beer.” Keeping with an earlier sentiment made by a participant, she expressed that job training and community resources and programs would have been better received, as this was more needed in there. This sentiment alludes to earlier remarks that poverty is a problem in the community and needed to be addressed.

The fifth participant's interview was frantic and rushed as I struggled to keep the participant on point. She did, however, express frustrations with the state of the youth in the community with their constant fighting around the community center. She spoke about drug dealers in the neighborhood and people allowing their dogs to freely run about the area preventing safe walking. She did agree that community resources and jobs were preferred. She also expressed that a better police presence and relationship between community and police were needed.

The last interview of 2018 conducted on December 21<sup>st</sup> came from a gang member who happened to be a member of the Rollin' 90s Crips—the targeted gang for the injunction—and one of the members targeted in the injunction. The participant stated that he, his father, and his friend were all served under injunction and had been stopped by police on two separate occasions while walking together. Under the gang injunction, no two gang members can be seen together in public, which is stated on the paperwork given to those served under injunction. On one occasion, the participant was stopped by police while walking to the store with his friend and arrested for being in public with another gang member. On the second occasion, he was walking with his father—who was also served under the injunction—and given a warning by police for hanging out in public. The participant stated that he was not advised about the gang injunction and still did not understand how it worked. He also never had the opt-out clause explained to him and claimed that even the courts did not know about the injunctions and how they worked. One of the earlier themes from the first interviews emerged when the participant stated that he migrated outside of the injunction zone. Another theme that was gleaned from this participant was his statement that the neighborhood is quiet now because the gang left.

Ending the interview, the participant expressed that in lieu of the gang injunction, a better relationship between community and law enforcement should have been fostered, along with community resources being provided. This participant's interview echoed circumstances and sentiments expressed in prior studies by Hautala et al. (2016), Jackson, (2016), Mather & Queally (2017), Jackson (2016), and Hernandez et al. (2014) who all wrote about sociofamilial gang ties and how those ties were broken as a result of gang injunctions; it was a positive for law enforcement because it breaks up gangs, but a negative for those targeted under injunctions because they are alienated from their families and friends.

The first interview of 2019 came from a law enforcement officer who had worked in the neighborhood for several years prior to the injunction and presently worked there, so he was equipped to answer questions about the neighborhood pre and post injunction. When asked about a state of the neighborhood preinjunction, the officer described it as a "nightmare" where gang members would walk down the street with guns and constant violence. After the injunction, the officer said the neighborhood remains quiet during the day, mimicking other participants' responses about the present state of the neighborhood. He stated that officers from other precincts are begging to work in this area because it is improved. He was on the fence as to whether community resources would have helped as he stated that no community events were successfully attended by residents.

The sentiment was observed when the community service organization, Perfect Harmony, initiated a December 1<sup>st</sup> community event. Perfect Harmony hosted a job and educational fair featuring vendors from local employment agencies and trade schools, as well as offered their own services. My role in this event was to observe how the



community received the services being offered by the organization and the vendors. The event was held from 10:00 AM to 2:00 PM at the Riverview Community Center on a Saturday morning. Throughout the event, there was low participation from adults in the community. The community center director assured Perfect Harmony and the vendors that the turnout would improve once people “woke up,” usually around 12 or 1:00 PM. However, the event ended with approximately 30 to 40 attendees, according to one of the Perfect Harmony mentors, and several children and teens were fed at the event. This event was catered to the enclaved area, so little media advertising was done in an effort to serve only the residents in that community. Approximately 500 flyers were distributed in the neighborhood every week for 6 weeks prior to the event. Perfect Harmony has been known in the past to host several hundred consumers at their events, so the low turnout for this particular event mirrored the officer’s sentiments that events hosted by the local police precinct were poorly attended.

### **Data Analysis—Descriptive and NVivo Coding**

The first round of coding used the elemental methods of descriptive and NVivo coding. These methods were appropriate for initially summarizing the data using the participants’ own words and to describe the gang injunction and the neighborhood from their perspectives. These coding methods were also appropriate to record my own observations of the injunction zone to juxtapose them with the data from the participants.

Several trips to the neighborhood to saturate it with flyers for participants were largely uneventful. Only a couple occasions did I visit the neighborhood alone; on the other occasions, I was accompanied by officers from the Shelby County Multi-Agency Gang Unit. The canvassing was done during daylight hours in the interest of my safety,

work hours, and the schedules of the escorting officers. On unaccompanied trips to the injunction zone, I observed the neighborhood to be desolate, with little presence on the streets (i.e., loitering in certain areas, people walking together). I deduced that the lack of presence during these times were due to residents being at work, sleeping, and in school. Also observed were abandoned houses, apartment buildings, and empty lots. However, some of the streets featured well-kept homes and yards, so the neighborhood was not observed to be completely desolate. There were also several churches featured prominently on nearly every corner in the community, as well as numerous corner stores, which I observed to be abundant in activity. Some of these churches and stores were featured on the main streets of the injunction zone and thus targeted for canvassing.

### **Emergent Codes and Themes**

NVivo was also used in this study to further breakdown the participants' perspectives into categories and themes for better understanding of the gang injunction. Fifty-three codes emerged from the data, including words like quiet, safe, chaos, nightmare, youth violence, no change, and migration. These codes were placed under my chosen categories; their meanings and evidence of those meanings are featured in Figure 2. The five categories chosen to describe the data were (a) Riverside preinjunction activity; (b) Riverside post injunction activity; (c) personal effects of gang injunction; (d) needs for Riverside; and (e) miscellaneous effects/aftermath. These categories were created to explain the various codes that came from the data and to breakdown those codes to find emerging themes. A running theme throughout the data was the need for community resources, the need for city leaders to address poverty and drugs in the area, and the short-term success of the gang injunction. One of the participants expressed a

need for the youth and the violence they engage in within the community needed to be addressed. This is in line with many of the prior studies, especially that of Maxson, Hennigan, and Sloan (2005), who highlighted the need for individuation of enjoined gang members' needs and "social services for at-risk youth. The final chapter of this study continues the discussion of those needs.

CATEGORY	MEANING	EVIDENCE FROM THE DATA
RIVERSIDE PRE-INJUNCTION ACTIVITY	RIVERSIDE COMMUNITY IN SHAMBLES	CHAOS; GUYS/GANGS BEEFING; YOUTH VIOLENCE; LACK OF PRIDE AND HOPE; NIGHTMARE
RIVERSIDE POST-INJUNCTION ACTIVITY	RIVERSIDE COMMUNITY A GHOST TOWN	QUIET; GANGS MIGRATED; FEELINGS OF SAFETY; IDEAL WORKPLACE
PERSONAL EFFECTS OF GANG INJUNCTION	SOCIO-FAMILIAL BREAKDOWNS	GANG MEMBER MIGRATION FROM FRIENDS/FAMILY; ARRESTS/HARASSMENT FOR HANGING WITH FRIENDS/FAMILY
NEEDS FOR RIVERSIDE	ADDRESSING OF UNDERLYING ISSUES	COMMUNITY RESOURCES; JOB TRAINING; JOBS; HOPE/COLLEGE FOR YOUTH; COMPASSION/CONSISTENCY FROM LEO
MISCELLANEOUS EFFECTS/AFTERMATH	FALSE SENSE OF SECURITY	DWINDLED POLICE PRESENCE; GANG ACTIVITY PERSISTS; CONSTANT SHOOTINGS/BREAK-INS; UNSAFE TO WALK STREETS

Figure 2. Coding Table.

### Discrepant Case Factorization

As can be evidenced by the codes and my summary of the data, there were some discrepancies in the data with some residents downplaying the gang activity or stating that they had not witnessed any gang activity to others claiming the community was a nightmare due to the gang activity and even post injunction, that gang activity persists and that they feel unsafe. This was not unexpected, given the age ranges of the participants (mid-20s to early 60s) and length of time living and working in the enjoined community (1 year to 42 years). I knew that experiences among the participants would vary. These contradictions in the data reiterates the aforementioned point of the short-term positive effects of gang injunctions, not just in Memphis, but nationwide. A couple of the participants actually downplayed the gangs and gang activity in the community even though they had lived in the area for several years. The violence reported in statistics may have been normal for them that they attributed it to beef among guys in the neighborhood. I expect that even if the sample size was larger than the seven participants interviewed, these discrepancies would still exist because of varying perspectives.

### **Evidence and Trustworthiness Implementation of Credible Strategies**

Transcription of the interviews was conducted; afterwards, they were compared with the recorded interviews to ensure their translations were thorough. Additionally, constant review of the recorded interviews against the transcripts, in no less than four instances, confirmed the findings. A comparison of the primary and secondary data also confirmed the findings, with the secondary data proving the short-term effectiveness of the gang injunction by demonstrating fluctuating declines and increases in crimes committed in the community (within the injunction zone boundaries). These fluctuations were corroborated by the primary data with reports of crimes from the participants about burglaries and multiple shootings.

### **Implementation/Adjustment to Transferability**

The interviews conducted for this study were anonymous; however, that anonymity was no obstacle to the feelings and experiences expressed by the participants. Although most gave laid back interviews, a few of the participants were frantic throughout the interview process. The first two participants spoke of a neighborhood that they had lived in and had vast knowledge of for many years. They gave the impression that they had experienced and witnessed some horrific things in their years in the community as the first participant simultaneously spoke to me and the second participant about murders they had witnessed throughout the years. They seemed so desensitized to the violence in the community that they both denied that there were gangs and gang activity in the community. I found that as the years went by, the community became more violent with each generation, which was echoed by the first participant when he blamed “another generation” for the chaos that “broke loose” over the years. The second

participant also downplayed the gang activity in the community and felt that it was an affront to the community for law enforcement and the district attorney's office to label their home as a nuisance filled with gang violence. He seemed insulted at this pronouncement. The third participant was also incredulous at the idea that there was a gang injunction in the neighborhood and that her community had been deemed a gang injunction zone. However, it should be noted that she had lived the least amount of time in the community at just 1 year.

The fourth participant was frantic in her interview, and it was evident that she was eager to make known the issues in the community. When she spoke of the gang injunction, she spoke of heavy police presence in the beginning, but expressed disappointment that the presence had dwindled over time, as did her feeling of safety. She spoke of break-ins and frequent gun shots in the neighborhood. She also expressed a false sense of security at nonworking police cameras that fail to capture the crimes that persist in the community. She talked about the lack of pride in the neighborhood with the youth and new people moving there. She spoke with heartfelt emotion when discussing the hopelessness of the youth in the community and with anger at the youth for their constant fighting in and around the community center. She seemed exasperated that something more was not being done in the community for the youth to bring them some sense of a future. The fifth participant echoed her thoughts as she lamented about drug dealers, loose dogs, and wayward youth. She scoffed at my account of the community center director's claim that the youth had positive activities going on there and was disdainful at the thought that he would even speak on the matter given that he spends much of his time inside the center rather than outside. This interview went quickly as she had much to say

about everything that she felt was wrong in the neighborhood from the juvenile delinquency to the lack of compassion and knowledge of the residents by law enforcement. Like the fourth participant, she also expressed fear about the frequent break-ins in the community.

The gang member participant was forthcoming in his interview. There was frustration in his voice as he recounted the arrests of himself and his friend and the harassment of himself and his father for being together in public. That frustration continued to be expressed throughout the interview as he spoke of unfair treatment over a law of which he had no understanding. The law enforcement officer spoke nonchalantly of the gang injunction praising it for cleaning up the “nightmare” that was going on in the community. He seemed prideful when expressing how the neighborhood was so quiet now that other officers were clamoring to work there. All of the participants’ experiences speak to the thoughts and feelings that were induced by the gang injunction and allows the audience a small peek into their lives in the community.

### **Implementation/Adjustment to Dependability**

Data collection began in late September 2018 and immediately proved to be a laborious task for the aforementioned reasons. A phone number for participants to use was obtained by downloading the Dingtone app found in the Google play store. The app allowed for all calls to be anonymous and recorded, which negated the need for a separate audio recording device. Calls were downloaded and played back to be transcribed. Since participants were anonymous, my recruiting methods had to be adjusted for the change.

In late September, the first saturation for participants began with fliers being placed in the mailboxes of local churches that within the gang injunction zone and at the

local Riverview Community Center, which sits in the middle of the injunction zone and hosts lots of traffic from community residents. Local businesses, with a simple request and no additional detailed explanation needed, also posted fliers. A total of 15 fliers were distributed with eight tear-off tabs for a total 120 tabs. Over a week later, flyers were distributed at the local police precinct serving the community, as well as the local public housing complex, local fire station, and the only grocery store serving that community. Forty-one flyers were distributed that week for a total of 328 tabs.

Between the first and the third saturations no data was collected. Two weeks after the third saturation - the last full week of October – I was escorted by Multi-Agency Gang Unit officers as I saturated the gang injunctions zone on various streets. I went door-to-door placing fliers in doors and in mailboxes without making physical contact with residents. One hundred and sixty-seven homes receive fliers for a total of 1,336 tabs. Within the next 7 days, five interviews were conducted from community residents. The participants were eager to speak about the injunction and crime in the area with some starting nearly before I could identify myself and read the consent form. The average interview lasted nearly 10 minutes in length, mostly due to the eagerness of participants. After this boost, no interviews were conducted for nearly 1 month.

During this time there was frustration that no law enforcement, businesses, nor fire station interviews were conducted. I was advised that law enforcement would be reluctant to participate due to fear of retaliation from supervisors even though I stressed anonymity for all participants. In mid-December 2018 with one MGU officer as an escort, I saturated the local public housing project, going door to door, instead of taking flyers to the property management office. Another small apartment complex nearby was

saturated. No physical contact was made with any residents although some doors creaked open as I passed. A total of 76 flyers were distributed for a total of 608 tabs. 1 week later, one interview was collected from an active gang member from the Rollin' 90s Crips gang – the gang targeted by the injunction. January 2019 brought one new interview from a law enforcement officer serving the area.

### **Implementation/Adjustment to Consistency/Confirmability**

The narratives and lived experiences of the participants drove this research study. The conclusions that I was led to were based solely on these two things. The passionate way in which all of the participants spoke of needing viable community resources and to be shown compassion and understanding lends credibility to the findings. These findings can be duplicated and built upon in future studies with more participants and more likely than not come to the same conclusions, as this study has come to similar conclusions from prior studies on the subjects of gangs and gang injunctions. These topics were chosen for this research study because of my background and professional experiences with gangs in the criminal justice system. It has been a passion of mine to recount and relay the lived experiences of those living in underserved communities that also deal with gang violence in an effort to bring about the real and tangible changes that are needed to improve those areas. In turn, the decisions made during this research study were deliberate and rational so that the lived experiences of the participants could be made palpable to the stakeholders to whom this research is directed.

### **Summary**

Following careful analysis of the data, I concluded that the gang injunction, as a separate entity from the research questions, was effective but only on a short-term basis.



The positive effects of the gang injunction included heavy police presence and a decline in service calls, arrests, and crimes. However, those positive effects dwindled over time, as expressed by participants in the study. Some of the negative effects of the gang injunction included gang member migration to areas outside of the injunction zone, damaged socio familial bonds, perception of unfair treatment and harassment, and lack of full knowledge of the gang injunction provided to residents and enjoined gang members. The following research questions were addressed in the study.

RQ1 – How has the gang injunction in the Memphis, Tennessee community effected the dynamics of the community in terms of socio-familial connections (i.e. family/friend relationships) when gang membership is involved?

Answer – the sixth participant revealed that he was one of the Rollin’ 90s Crips gang members who had been served under the 2013 junction. While discussing the period following the implementation of the injunction, he revealed two separate instances in which he and his friend and he and his father, who were all gang members, were stopped and admonished and/or arrested for being together in public. When asked how that affected him, he stated that he and other gang members served under the injunction were force outside of the boundaries of the injunction due to fear of constant harassment from law enforcement, effectively damaging his socio-familial bonds.

RQ2 – How has the civil gang junction in the neighborhood affected gang members’ behavior (i.e. cessation of gang activity, migration to other communities, indifference)?

Answer – Gang members were forced to migrate outside the gang injunction zone, due to perceived harassment and fear of arrests and unfair treatment due to being

seen in public together. Another participant also spoke of the Rollin' 90s Crips gang members migrating outside the injunction zone into other areas of the community.

RQ3 – What is the overall efficacy of the gang injunction in the neighborhood based on the perspectives of community residents, gang members, and law enforcement?

Answer – Here is where mixed results occurred. While law enforcement praised the injunction, other participants either had no knowledge of the injunction itself, did not know it was still in place, or thought it had a negative impact on the neighborhood. Here I would say the gang injunction worked or did not work based on who I spoke to, I believe that the data proves that the gang injunction worked on a short term basis and would have been better received had it been implemented with viable community resources.

RQ4 – How will the introduction of community resources be received/used to increase the long-term effects of gang injunction, while also increasing the quality of life in the community?

Answer – Though the reception of community resources including, a job fair, was not well attended by the majority of community, for those who did attend, it was hopefully the first step in rebuilding their lives. The key in this case will be consistency in providing services so as to build up word of mouth so to speak, and in doing so, garner more people to attend community resource events. Regarded increasing the long-term effects of the gang injunction, I believe that consistency in providing those resources will provide not only enjoined gang members, but all community residents, better options in turning their lives around.

### **Conclusion**

The effectiveness of the 2013 Rollin' 90s Crips gang injunction was based on perspectives of each participant in this study. What is certain is that the implementation of the injunction could have included more options for gang members to move towards cessation of gang membership and activity and perhaps this would have made it better received. Socio-familial bonds are broken every day when the criminal justice system is involved, and yet here we have another tool that was only mildly successful in its goals that perpetuates the breaking of those bonds. It is time for policymakers in the criminal justice system to put resources towards positive community building rather than creating and implementing policies that break up families and communities. There is more work to be done in Riverside and all over the city of Memphis with regard to gangs and the violence that they bring to communities. This research study was the first step in implementing what needs to be done.

## Chapter 5: Discussion and Conclusion

### **Introduction**

When I first began to research for this study, it was my intention to show that not only did the gang injunction work only on a short-term basis, but that it affected the people and communities involved. I believe that this study showed both these things. Some of the participants in this study expressed the need for compassion and understanding for the members of the community not only by law enforcement, but by local policymakers as well. The insult of labeling a community as a gang nuisance area is a stigma that does not quickly go away, and instead of that label, the introduction of positive solutions was needed and wanted by the community. Policymakers must demonstrate a level of care for these kinds of communities by introducing the resources needed to provide hope and healing and to address the issues that are the cause of crime in low-income communities—poverty. This was not done, and as a result, crimes and gang activity continue to plague the community and other communities like it.

### **Purpose and Nature of Study**

The purposes of this empirical phenomenological study were to (a) explore the effects of gang injunctions based on the lived experiences and perspectives of the residents, gang members, and local law enforcement in the community and (b) to observe the effects of viable community resources when implemented in conjunction with the gang injunction. Perspectives from this target group are nearly nonexistent in prior research, and I highlighted the voices and experiences of residents and gang members living in the enjoined neighborhood. Additionally, the implementation of community resources to supplement gang injunctions was absent in prior research and was promoted

in this study. The approach for this study was aided by phone interviews, as well as my own observations.

### **Why and How the Study was Done**

The study was done to give voices to those living in gang injunctioned communities. South Memphis, TN was the first community in Tennessee in which a gang injunction was implemented. Research was done on gang injunctions, which originated in California in 1987, and scholars also showed that gang injunctions encounter a variety of issues including being successful for only a short time and being accused of violating the civil rights of enjoined gang members; these same issues arose for the gang injunction. Anonymous interviews were carried out after a series of neighborhood saturations to garner participants. Those interviews were transcribed and analyzed through hand coding to find codes, categories, and themes that would be used to determine their meanings relative to the gang injunction and its effectiveness.

### **Summary of Findings**

There were four questions that I aimed to answer regarding the effectiveness of the 2013 gang injunction. The answers are based on the perspectives of the participants living and working in the enjoined community during the time of the injunction.

### **Conclusion to RQ1 and RQ2**

RQ1–How has the gang injunction in Memphis, Tennessee affected the dynamics of the community in terms of sociofamilial connections (i.e., family-friend relationships when gang membership is involved)?

RQ2–How has the civil gang injunction in Memphis, TN affected gang member behavior (i.e. ceasing of gang activity, migration to other communities, indifference)?

The data were limited in this area; however, the gang member participant gave an idea of how not only he, but others, were affected by the injunction. The sociofamilial bonds were affected by the injunction in that he was forced to move away from his family and friends. The gang injunction caused a severance of those bonds. The other effects that should be considered are the perceived harassment and the feeling of being criminalized for hanging out with family and friends who are gang members, which is prohibited under the injunction. Another effect that should be mentioned is the participant's lack of understanding of the gang injunction. The injunction was not fully explained, and those served under it were not explained how they should proceed under the injunction, how to get out of it, and how the opt-out clause worked. This area should be addressed in future injunction implementations. Regarding the migration to other areas outside the gang injunction zone, it would be interesting to find out what plan law enforcement and the district attorney's office put in place to protect neighboring communities from the potentially criminal activities that migrating gang members might engage in, which would drive up crime in those areas. More research is needed in this area.

### **Conclusion to RQ3**

RQ3—What is the overall efficacy of civil gang injunctions in the neighborhood based on the perspectives of community residents, gang members, and law enforcement officers who help enforce this injunction?

Mixed reviews were received here. Although law enforcement saw the gang injunction as a positive force in ridding the community of the Rollin' 90s Crips, community members both praised and opposed the ban. Some stated that the injunction further hurt the community by forcing the migration of gang members to other areas of

the community, while others stated that they saw no change in gang activities. Others felt that the gang injunction was positive in that they witnessed an increased police presence, but that presence dwindled over time leaving the area open again to gang activities. A few of the participants spoke of shootings and burglaries occurring in the area and attributed those crimes to gang activities. The overall efficacy of the gang injunction was in the eye of the beholder. A consistent police presence, which was mentioned by several of the participants, is needed to increase the perception of safety in the community.

#### **Conclusion to RQ4**

RQ4-How will the introduction of community resources be received and used to increase the long-term effects of gang injunctions while also increasing the quality of life in the community?

Most of the participants expressed that more community resources were desired over the gang injunction; yet, when those resources were presented, the community's support and presence was lacking. A consistent offering of resources to uplift and rebuild the community and its residents is recommended as a single event is not enough to gauge how the community's residents will embrace those offerings over a longer period of time. A longitudinal study in this area would likely present better results in this area, and it is my plan to implement additional studies in the near future.

This study and its findings confirmed the findings in prior studies that were researched. In many ways, the participants' answers mirrored participants in the studies that were researched for this study. The gang member participant stated many reasons about the gang injunction that were in line with other participants from prior studies. I found that there is much work to be done regarding the extension of the longevity of gang

injunctions, but also the production of tangible positive results on those enjoined as well as the communities in which they are implemented.

### **Limitations**

The main limitation to this study was the lack of participation that stemmed from having to wait for potential participants to call me, as opposed to being able to go out and recruit participants and conduct face-to-face interviews. I found that it is much harder to hope that participants would be willing to participate and call, but it was refreshing to have those who did participate to call and be willing to have their perspectives and experiences known. The residents of the community are rarely given the chance to speak their minds regarding public policy and be able to honestly portray what life is like in their community and say what they really want to be done instead of being told what is going to be done.

### **Recommendations**

Based on this study, policymakers are urged to put policies in place that help and not hinder the people on which those policies be most effective. Pouring resources into the enjoined community would have been better received than the hindrance of a gang injunction. Policymakers need to demonstrate to communities that they care about solving real issues in their communities. The issues of drugs and poverty need to be addressed in a meaningful manner.

### **Reflections of the Researcher**

I spent part of my childhood living in South Memphis not far from the enjoined community during a time when a person rarely knew about drugs, gangs, or even knew they were living under the poverty level. Over the years, there have been many changes



as drugs, poverty, and crime run rampant throughout the area. Riverside is not unlike many other areas of Memphis that are underserved. The residents of the community wanted the injunction, but either did not have full knowledge of its scope or did not understand the scope if it was explained to them in a community forum. Underserved communities need more than policymakers and law enforcement to visit for photo and media opportunities; they need city leaders who are determined to make tangible changes in their communities. The District Attorney's office and the local law enforcement agencies made an effort in implementing the gang injunctions; however, a gang injunction is not enough. The people in these communities need to be made to feel that someone cares about them enough to provide more solutions for the issues that plague them, but likewise, they need to be open and receptive to taking advantage of those solutions.

### **Implications for Social Change**

Regarding social change, meeting the needs of those affected by gangs and gang-related crimes will be a long process. For the purposes of this project, social change cannot be revealed in one short study, but with time, patience, and consistency. More work can and will be done to achieve this feat. For the 30-40 attendees of the December Perfect Harmony event, there is hope that they got the help that they were seeking, whether with getting their licenses reinstated or obtaining job leads so that they can make a positive move forward in their lives. As for the community residents and the one gang member who participated in the study, there is planning to provide the consistent services in their community that they need to give them some hope that, with the right resources,

they can make the changes needed to improve the quality of their lives and community as a whole.

### **Conclusion**

Though this study was limited in participation by the community, consistency will be the key in demonstrating that the stakeholders in this city—from the district attorney’s office to community organizations. There is discussion about what needs to be done about crime; yet, those who live in the worst areas of Memphis remain uninformed about those discussions. They are left wondering how gangs and crime will be handled, what steps will be taken, and who cares enough about them and their communities to be consistent in the fight to remain relevant in a city where beautification and tourism are more important than crime. Negative social constructs will remain in place until the city’s stakeholders engage low-income and crime-ridden communities from Riverside to Frayser with support and change. No city will be free from crime and gangs completely but demonstrating the care and understanding needed to change the mindsets of those engaging in the crime and gangs can make a difference.

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## Appendix A: Title of Appendix

### Tennessee Gang Abatement Statute TCA§ 29-3-110 Order of Abatement

#### TENNESSEE | 29-3-110. ORDER OF ABATEMENT.

(a) If, upon the trial, the existence of the nuisance is established under § 29-3-101(a)(2)(A), an order of abatement shall be entered as part of the judgment or decree of the court, which order shall direct the removal from the building or place where the nuisance exists or is maintained of all means, appliances, fixtures, appurtenances, materials, supplies and instrumentalities used for the purpose of conducting, maintaining or carrying on the unlawful business, occupation, game, practice or device constituting the nuisance; and shall direct the sale thereof, or such portion thereof as may be lawfully sold, upon such terms as the court may order, and the payment of the proceeds into court to be applied to costs or paid over to the owner, and the destruction of such portion thereof, if any, as cannot be lawfully sold within this state; and the judgment or decree shall perpetually enjoin the defendant from engaging in, conducting, continuing, or maintaining the nuisance, directly or indirectly, by the defendant or defendant's agents or representatives, and perpetually forbidding the owner of the building from permitting or suffering the nuisance to be done in the building.

(b)

(1) Upon any hearing or trial, the establishment of a criminal gang as a nuisance under § 29-3-101(a)(2)(B) need only be proven by clear and convincing evidence, notwithstanding any references under this chapter to the criminal code. Neither a criminal conviction nor a finding of juvenile delinquency is required in order to prove, by clear and convincing evidence, that particular conduct is gang related conduct to be abated as a

nuisance under this chapter. Gang related conduct to be abated as a nuisance may be proven through the testimony of a fact witness, an expert witness, or a combined fact-expert witness pursuant to the rules of evidence.

(2) If, upon any hearing or trial, the existence of a gang related nuisance is established under § 29-3-101, an order of abatement shall be entered as part of the judgment or decree of the court. That order shall enjoin perpetually the defendant or defendants from engaging in, conducting, continuing, aiding or abetting the nuisance, directly or indirectly.

(3) In addition to the relief permitted in subdivision (b)(2), the court may designate a certain geographically defined area or areas in any temporary or permanent gang injunction, which are narrowly tailored in compliance with prevailing constitutional case law for one (1) or more of the following purposes:

(A) Preventing the gang from gathering in public in groups of two (2) or more members; and

(B) Preventing any gang member from entering any specific public park or parcel of property where the gang has been found to have carried out its operations.

(4) All gang injunctions shall also include an "opt out" provision permitting an individual to seek an order of dismissal from the injunction upon proper application to the court, with thirty (30) days' notice to the petitioner, truthfully stating that the individual renounces involvement with that particular gang, which is the subject of the gang injunction, and for the last two (2) years:

(A) Has not committed any crimes or engaged in any form of criminal conduct, not including any time spent incarcerated;

(B) Has not been in the company, or association, of any person found under this chapter to be a gang member, other than an immediate family member; and

(C) Has not obtained any new gang related tattoos.

(c) In the order of abatement, the court may also assess costs of public services required to abate or manage the nuisance, including, but not limited to, law enforcement costs, if any, caused by the public nuisance. The governmental entity shall submit evidence of such costs to the court.

(d) (1) Any person who is not specifically named in a gang injunction issued pursuant to subsection (b) may be subject to the injunction by service upon the person of:

(A) A petition by the original petitioner to amend the injunction to specifically include the person; or

(B) A summons and a copy of the injunction.

(2) Service of the petition or summons shall include a date, time, and place of a hearing, where the original petitioner shall be required to show why the person should be subject to the injunction.

(3) A person who is added to the injunction under subdivision (d)(1) shall be subject to § 29-3-111 for any conduct occurring after the date the person is added to the injunction.

(4) A person who is added to the injunction under subdivision (d)(1) shall be afforded the same opt-out provisions under subdivision (b)(4).

#### History

Acts 1913 (2nd Ex. Sess.), ch. 2, § 6; Shan., § 5164a11; Code 1932, § 9334; T.C.A. (orig. ed.), § 23-311; Acts 2009, ch. 571, § 2; 2013, ch. 463, § 1; 2014, ch. 865, §§ 4, 5



## Appendix B: Interview Guide

### Community Resident Questions

1. How long have you lived in the Riverside neighborhood?
2. Were you living here when the gang injunction was put in place?
3. How did the placement of the gang injunction make you feel (i.e. safe, indifferent)?
4. What kind of gang activities were occurring before the gang injunction? After?
5. Have you been personally affected by gang injunctions?
  - a. For instance, are there members of your family who were said to have been gang members, then served under the injunction?
  - b. How has the injunction affected your family (if at all)?
6. In your opinion, has the gang injunction worked to make your community safer?
7. What do you think could have been done in conjunction with the gang injunction (or in lieu of it) to for it to be more effective (i.e. community resources)?

### Gang Member Questions (in addition to the above questions)

1. Are you affiliated with the Rollin'90s Crips Gang?
2. Without getting into too many specifics, tell me how your assumed gang behavior and/or activities changed after the injunction was served?
  - a. Did you move out of the community, stay, cease the noted activities under the ban, try to get out of the gang or out of the injunction, etc?
3. How has the gang injunction affected you personally (your family/friend relationships)?

4. What do you think could have or should have been done instead of implementing the gang injunction or in conjunction with the injunction (i.e. community resources, mentorship)?

#### Law Enforcement Questions

1. Have you worked in the Riverside community before, during, and after the 2013 injunction on the Riverside rollin'90s Crips?
2. What has been your experience working in the Riverside Community as it pertains to gang activity (i.e. made arrests based on the injunction, crime increased/decreased...)?
3. What have you observed as far as gang activity since the gang injunction was implemented?
4. In your opinion, was the gang injunction a good idea for this area? Why or Why not?
5. Are there other remedies that could have been implemented (in your opinion) along with or in conjunction with the gang injunctions? (Suggestions)