

TRACKED AND TRAPPED

Youth of Color, Gang Databases and Gang Injunctions

A Report by the Youth Justice Coalition's REALSEARCH Action Research Center

December 2012

TRACKED AND TRAPPED represents the preliminary results from a larger research project currently being conducted by the Youth Justice Coalition's **REALSEARCH Action Research Center** on the impacts of gang injunctions and gang databases on Los Angeles' youth and communities. In the 25 years since the LA County Sheriffs established the nation's first gang database, and 30 years since LA County implemented the nation's first gang injunctions, *there has been almost no release of data regarding gang suppression policies - including who's impacted, let alone an evaluation of their cost or effectiveness.*

This report represents the most comprehensive data ever released regarding who is on the Cal Gang Database by county, age and race. We don't say this out of pride, but out of concern for the total lack of state and local transparency and accountability in regards to the implementation of gang suppression. It is our intention to expose these policies and practices to the light of community evaluation and oversight.

BACKGROUND

From 1982-1983, LA County established the nation's first gang injunctions in West Covina, Pomona and an unincorporated portion of East Los Angeles. Gang injunctions are civil court orders against groups of people, most similar to a group restraining order.



These were not the areas of the county experiencing the highest levels of violence. They were areas that were majority white and middle class and/or that bordered white communities.

A gang injunction enables law enforcement to establish geographic “safety zones” within which they can arrest, prosecute and incarcerate people named in the injunction for non-criminal activity such as breaking a curfew established by the injunction, carrying a beeper or cell phone, or associating with “other known gang members “ even if they include family members the person lives with.

In 1987, James Hahn - then LA’s City Attorney - initiated the city’s first injunction against Playboy Gangster Crips – again not the community experiencing the highest levels of violence, but the neighborhood closest to the overwhelmingly white and wealthy Culver City and Beverly Hills.

That same year, the Law Enforcement Communication Network and the Los Angeles County Sheriff's Department began developing a computerized database—the **Gang Reporting, Evaluation, and Tracking System (GREAT)**—to collect, store, and analyze personal information about alleged gang members.

By 1988, LA County officials took these local gang policies statewide, writing and pushing the state legislature to pass the **STEP Act – Street Terrorism Enforcement and Prevention Act - California Penal Code 186.20**

The STEP Act:

1. Is the first law in U.S. history to define a gang – “any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the crimes (listed below), having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.” (186.22 lists the following crimes as examples of criminal gang activity: assault with a deadly weapon, robbery, illegal drug trafficking, shooting at an inhabited residence or motor vehicle, drive by shooting, arson, intimidation of victims or witnesses, grand theft or vehicle theft, burglary, rape, looting, money laundering, kidnapping, mayhem, torture, extortion, carjacking, illegal firearms trafficking, possession of loaded/concealed firearms.) However, the law did not distinguish that members had to be involved in or convicted of any of these activities to be labeled, surveilled and prosecuted as gang members.

2. Makes belonging to a gang a criminal offense. A gang member is defined as any person who actively participates in any criminal street gang with knowledge that its members engage in, or have engaged in, a pattern of criminal gang activity.

3. The STEP Act also provides serious penalties for participation in a gang, and requires alleged gang members to register with local law enforcement – including providing finger prints and a current photograph – when sentenced in either adult or juvenile court, when they are released from prison, or within ten days whenever they move. (Failure to register is punishable by 16 months, 2 or 3 years.)

4. In its Name, defines alleged gang members as Street Terrorists and gangs as Terrorist Organizations which enables California to apply federal anti-terrorist legislation such as the Clinton Crime Bill and the Patriot Act to suspected gang members.

5. Allows for Gang Enhancements in Court: For minor felonies an additional term of two, three, or four years per count at the court’s discretion. For serious felonies, an additional term of five years per count. For violent felonies, an additional term of 10 years per count. Additional years can also be added if a crime is committed on school grounds during school hours. This has resulted in the sentencing of tens of thousands of people – as young as 14 – to extreme Life sentences even in cases where no one is hurt.

6. Established CLEAR within the City and County of L.A. – the Community Law Enforcement and Recovery Demonstration Project – that put into place a multi-agency gang suppression program, administered by the City of Los Angeles under a joint powers agreement with the Los Angeles County Sheriff’s Department, the Los Angeles County District Attorney’s office, the Los Angeles County Probation Department, the Los Angeles Police Department, and the Los Angeles City Attorney’s office, in order to “provide a flexible and coordinated response to crime perpetrated by criminal street gangs...” This represented the nation’s first inter-agency coordination and joint code enforcement targeting suspected gangs and alleged gang members.

The STEP Act gave LA County the funds and powers needed to expand its gang suppression efforts, including growing the database. For the next ten years, LA law enforcement officials perfected the technology, and in 1997, worked with state officials to expand the database statewide. Building on the GREAT system in LA, California’s Department of Justice contracted with an information technology company – SRA — to create CalGang, which enabled police departments throughout California to collect data for local gang databases that also fed local information into a statewide gang file. **The CalGang system is now accessed by over 6,000 law enforcement officers in at least 58 counties.** SRA also sold the technology outside of the state -

known as GangNet - and it is now in use in many other states and Canada. In addition, both the FBI and the nationwide association of law enforcement “gang” officers have followed LA’s lead and established similar databases.

CALGANG DATABASE IMPLEMENTATION AND IMPACT

Information is entered into CalGang by local “gang officers” – both in the community and within school district police departments – that are trained in its use.

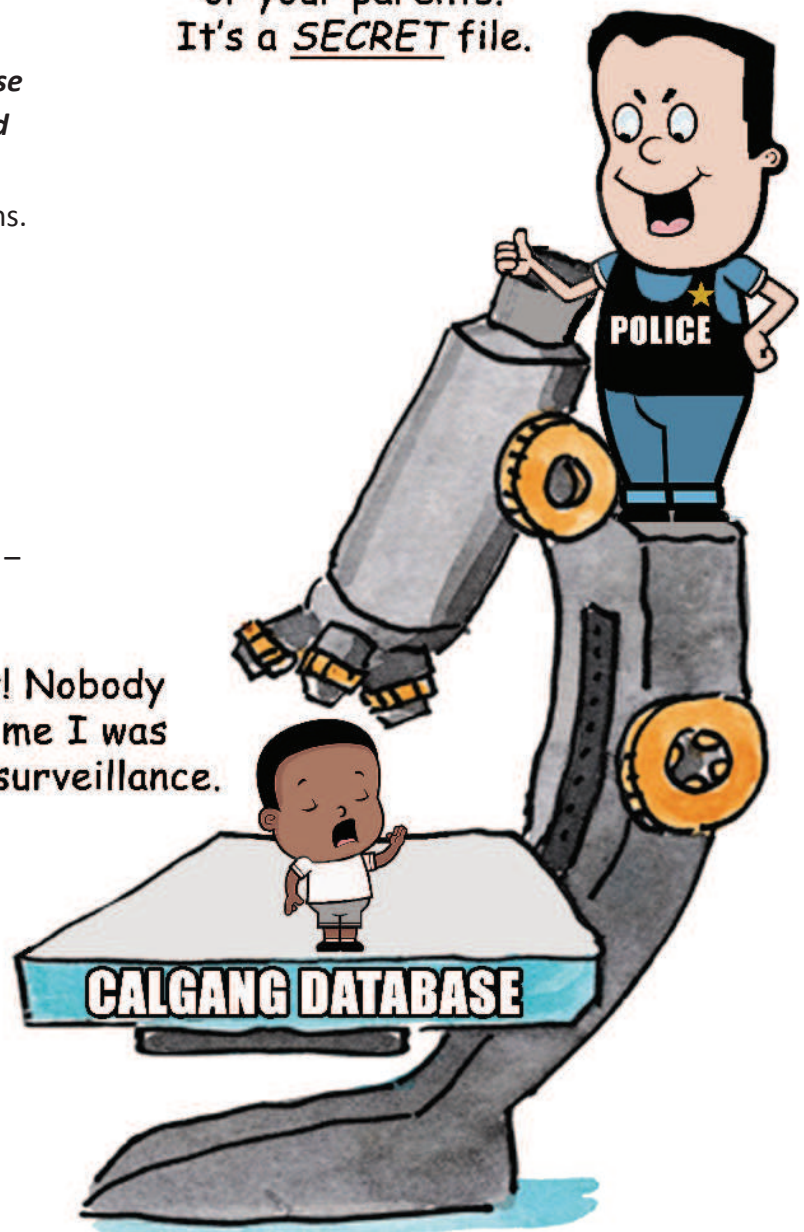
1. Most people are added to the database without having been arrested or accused of criminal activity. Sometimes the data is added during active crime investigations. But most often, data is collected through routine police stops or stop and frisks during which officers fill out Field Identification Cards or FI Cards, (sometimes referred to as Field Information Cards).

2. Police can question people of any age – often starting in early elementary school – about their nicknames, family members and friends, and where they live or hang out. FI Cards and accompanying photos also document clothing, tattoos, scars, and suspected or admitted neighborhood ties.

3. CalGang also contains photographs taken both with and without persons’ knowledge.

We don't have to tell you
or your parents.
It's a SECRET file.

Hey! Nobody
told me I was
under surveillance.



Unlike some other states that have implemented gang files, in California, there are no limits on the age of persons photographed by the police. CalGang also includes data captured through “photostops” including: (a) “Long-range Lens” -- photographs obtained without investigatory detention; (b) “Mug Shot”--photographs obtained incident to arrest; (c) “Illegal Stop”--photographs obtained during a stop that was not originally justified by reasonable articulable suspicion; (d) “Unrelated Investigatory Stop”--photographs obtained during an investigatory stop originally justified by reasonable articulable suspicion, but the photographs are not related to the investigation of the suspicion that initially justified the stop, and; (e) “Related Investigatory Stop”--photographs obtained during an investigatory stop originally justified by reasonable articulable suspicion and the photographs are related to the investigation of the suspicion that initially justified the stop.¹

4. The information captured by local police is entered into the statewide CalGang Database.

All police can generate information, but it is assessed and entered onto the database by a “gang officer.”

5. Once information is entered, a person is “known” as an active gang member. Because it is a secret surveillance tool, there is **no notification** of the person labeled, or of the parent/guardian if they are under 18. Similarly, they have **no opportunity to appeal or clear and consistent opportunities for removal.**

6. CalGang can be accessed every time someone is stopped by law enforcement anywhere in the state; in other words the person is now a “known gang member” throughout California.

Through digital technology, photographs are also loaded almost instantaneously into gang databases and become immediately available for any officer on the CalGang network to access.

7. Officers regularly monitor Facebook, other social networking sites and cell phones to track people and contribute to the information and photos collected.

8. Under California law, the criteria for identifying a person as a gang member are broad and does not require participation in criminal activity. An individual is considered a gang member by law enforcement if they fit two or more of the following criteria *as defined in the STEP Act*:

- a. Admits gang membership or association.
- b. Is observed to associate on a regular basis with “known” gang members.
- c. Has tattoos indicating gang membership.
- d. Wears gang clothing, symbols, etc., to identify with a specific gang.

- e. Is in a photograph with known gang members and/or using gang-related hand signs.
- f. Name is on a gang document, hit list, or gang-related graffiti.
- g. Is identified as a gang member by a “reliable” source.
- h. Is arrested in the company of identified gang members or associates.
- i. Corresponds with known gang members or writes and/or receives correspondence about gang activities.
- j. Writes about gangs (graffiti) on walls, books, paper, etc.

THE IMPLICATIONS FOR CIVIL LIBERTIES AND HUMAN RIGHTS

1. Law enforcement officials have argued that people do not need to be notified that they are on CalGang or be given an opportunity to appeal their label as a *gang member* because it has no bearing on criminal prosecution or conviction. ***However, CalGang dramatically expands the criminalization of individuals and communities,*** as it is routinely used to determine who is:

- a. Served with a gang injunction
- b. Prosecuted in court for gang related activity – even though the crime is often *not* done for the benefit of gang
- c. Given a gang enhancement (additional time at the time of sentencing), and
- d. Which communities are targeted for saturation policing, vehicle check points and increased – *often secret* – surveillance through security cameras, Internet-based or GPS monitoring

2. While law enforcement officials have also repeatedly claimed that CalGang is a secret file that is not publicly shared, the **information collected has been shared with employers, landlords, Public Housing and Section 8, and school administrators,** often leading to additional punishments, evictions, and exclusion from services and resources.

3. ***CalGang operates as a*** “State of California funded, local law enforcement maintained and controlled Criminal Intelligence System.” The CalGang system operates pursuant to the United States Code of Federal Regulations, title 28, section 23 (28CFR23), ad seq. as a ***Criminal Intelligence System further enabling it to remain a secret police surveillance tool.***

4. *Gang databases and other gang suppression tactics are increasingly expanded for use against other populations.* For example, the Los Angeles Police Department’s Special Orders 11 and 1 allowing for widespread surveillance of civilian populations for the purpose of “preventing terrorism” borrows heavily from the lessons learned through CalGangs. Surveillance and saturation policing can also be seen in the policing of the people living on skid row in downtown Los Angeles particularly as the area is undergoing intense gentrification and redevelopment. Graffiti crews are tracked by CalGang and the YJC worked to defeat a recent attempt to implement a citywide graffiti injunction.

5. For the past 25 years, since the creation in 1987 of LA’s first database, *Los Angeles’ and California’s practice of tracking people – primarily youth of color – suspected of “gang involvement” has continued without:*

- a. Transparency
- b. Accountability
- c. Notification of the individuals watched or their families
- d. The release of information or data to the public or policy makers, or
- e. The conducting of either internal or independent evaluations as to the effectiveness of gang databases.

This surveillance practice has operated in total secrecy. ***As stated above, to our knowledge, this represents the first release of data regarding who is on the Cal Gang Database by county, age and race.***

HOW WE GOT THE INFORMATION RELEASED IN THIS REPORT

Under California law, government agencies are required to make their records available to the public. As we believe transparency is essential for democracy, we were concerned that CalGang represented one of the least transparent, least democratic and most damaging practices in the nation.

We submitted a **Public Records Act Request to the California Department of Justice** to find:

1. The number of people, statewide, that have been added to and removed from the CalGang Database in the last two years.
2. The number of people, statewide, that have been added to and removed from the CalGang Database in last two years broken down by the demographics of age, race, gender, location/zip code.

At first, the California Department of Justice denied the request because the information was considered “criminal intelligence information” and therefore restricted to law enforcement personnel. This is the excuse that has been regularly used in the past to restrict community knowledge about CalGang and its impact.

With the help of an attorney, we responded that the federal regulations define “criminal intelligence information” to mean: “data which has been evaluated to determine that it . . . is relevant to the identification of and the criminal activity engaged in by an individual who, or organization which is reasonably suspected of involvement in criminal activity . . . ” 28 C.F.R. 23.3(b)(3).

Since the information we requested would *not* identify any individual or organization (we were only asking for numbers of people in the database broken down by race, age, gender, and location) it was clear that it could not be classified as criminal intelligence information.

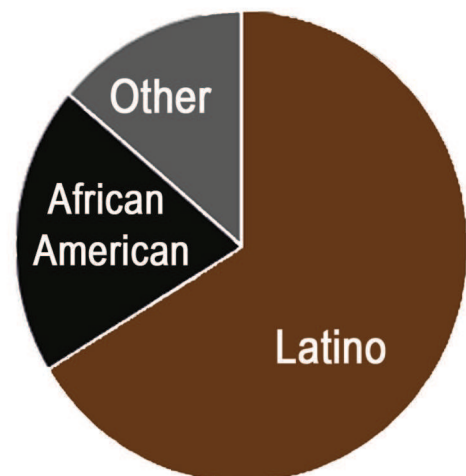
We then received a prompt email from the Custodian of Records for the CalGang Database indicating that there was a “mix-up” and that our request “should not have been denied.” What follows is an accounting of the data we received.

PRELIMINARY FINDINGS

The data we acquired reveals the following:

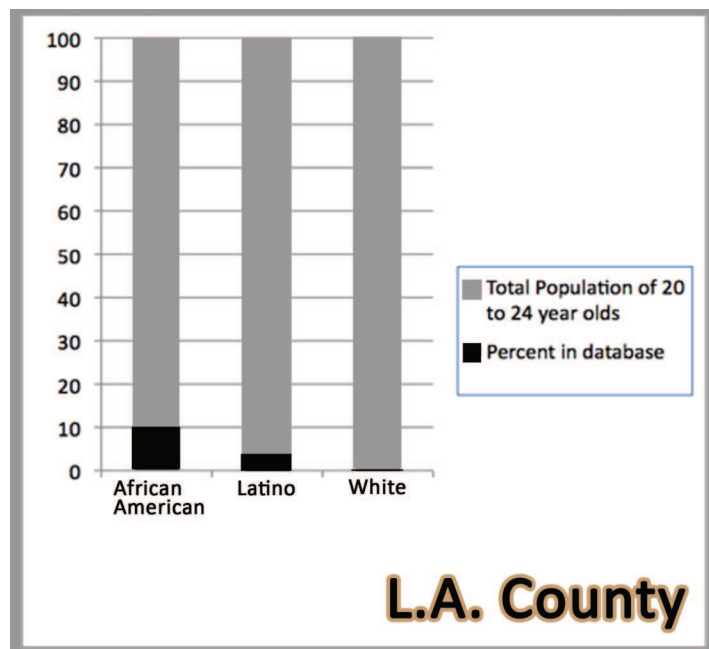
1. Currently 201,094 people across California are on the CalGang database.

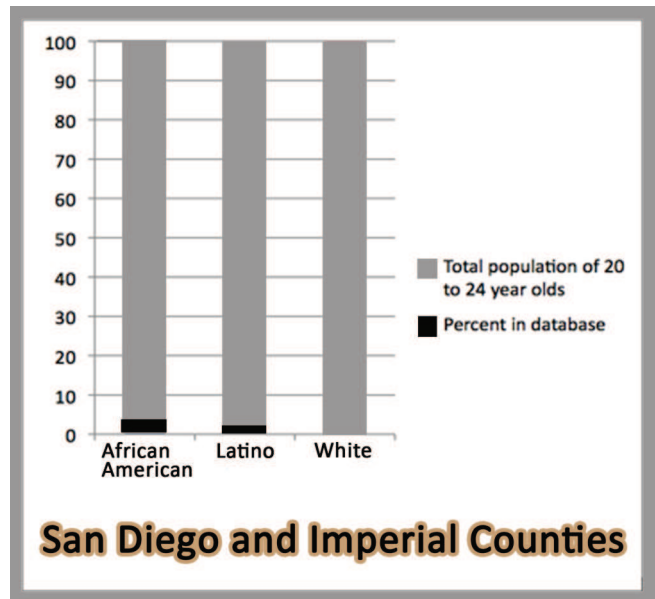
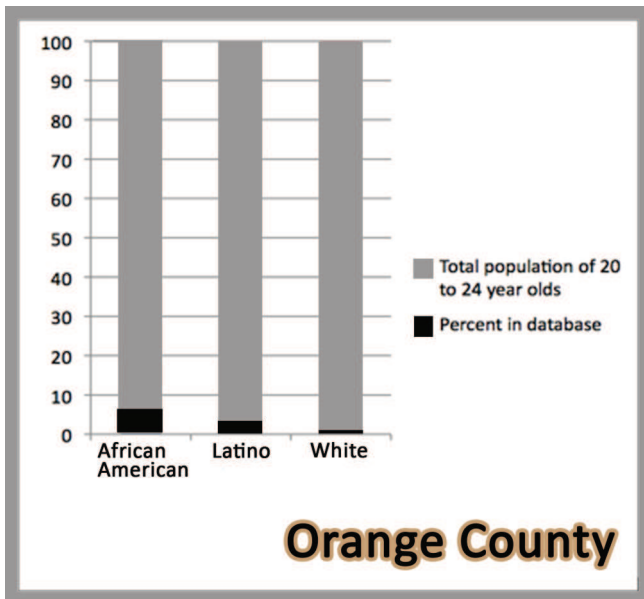
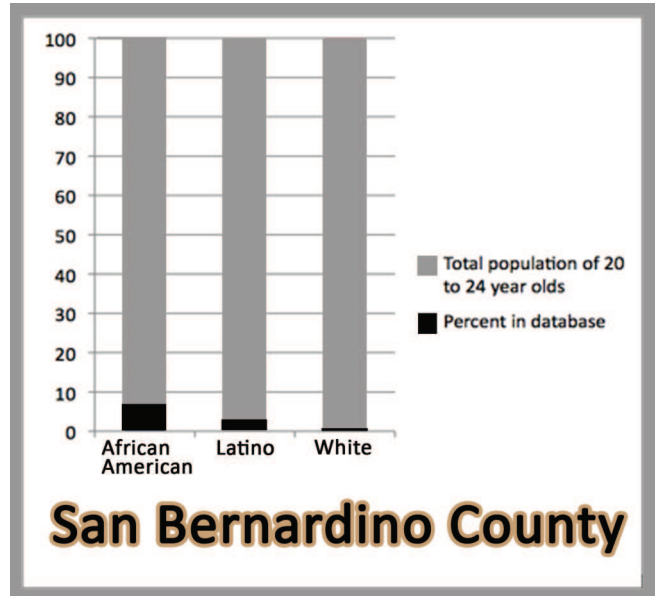
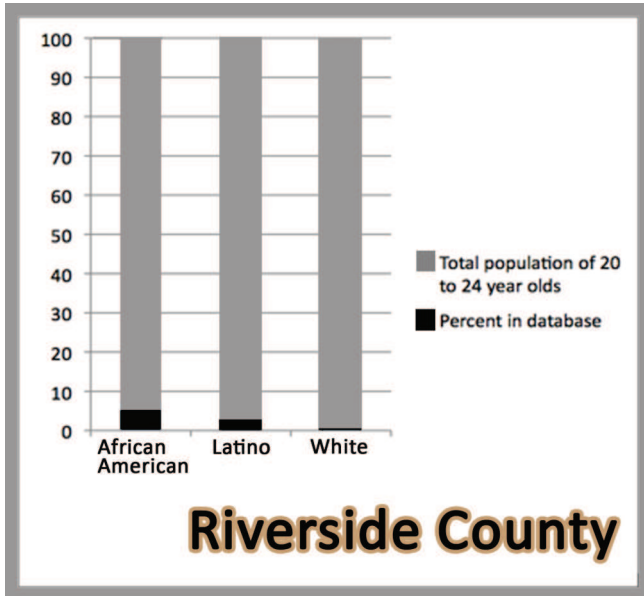
- Of these, 94.8% are male (190,562); nearly 20% are African-American (39,785); and 66% are Latino (133,410).



This represents a glaring racial disparity. According to the most recent U.S. Census data for 2011, 6.6% of California residents are African American; 38.1% are Latino; and 39.7% are White Non-Latino.

- **10.6% of all African-Americans between the ages of 20 and 24** in Los Angeles County are on the CalGang Database (6,786). The percentage would be much high for **African-American men**. However, the Custodian of Records refused to give us the number of African-American men on the database. They would only provide us with the total number of African-Americans on the database, and the number of men of all races total.
- **3.5% of all Latinos between the ages of 20 and 24** in Los Angeles County are on the CalGang Database (14,156). In absolute numbers, there are more Latinos from LA than African-Americans on the database. However, 47.7% of LA's population are Latinos; compared with 8.7% African-American. Consequently, a larger proportion of African-Americans in LA County are on the database relative to their population size. Both Latinos and African Americans suffer greater racial disparity regarding police surveillance when compared to whites.
- **Only one quarter of one percent - .29% - of all Whites between the ages of 20 and 24** in Los Angeles County are on the CalGang Database (500); with 27.7% of LA County White. (It is important to note that Los Angeles County has the highest number of white supremacy groups of any region in the nation; and California the highest number of any state in the nation. In addition, *worldwide*, Los Angeles, Riverside and San Bernardino Counties make up the region that produces the second most methamphetamine – second only to Northern Mexico – and this trade is dominated by white manufacturers and traffickers, most notably through biker clubs and white supremacy groups.)
- There are 58 counties in California. **People from one county—Los Angeles—make up almost 40%** of the CalGang Database, despite the fact that Los Angeles represents only 27% of the state's population.





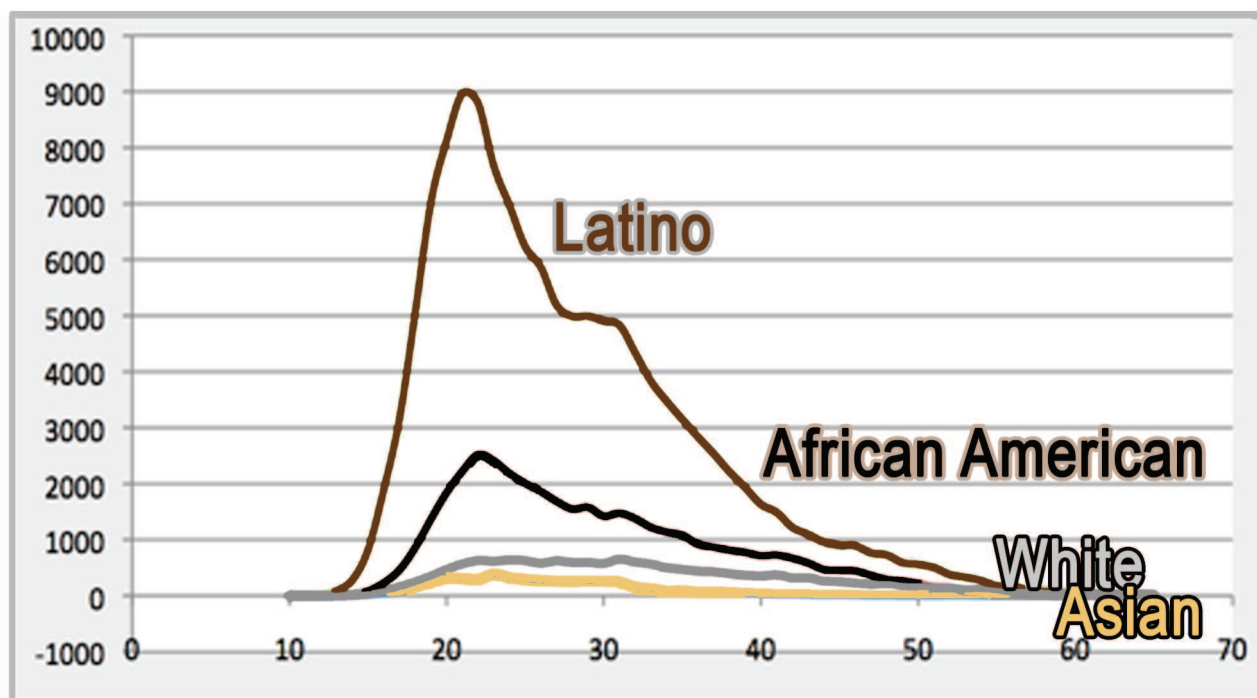
- ***There are many youth on the CalGang database, starting as young as ten years old.*** The oldest person on the database is 65 years old. The highest proportion of people were in the 20 to 24 age category. However, we do not yet have data for on how long people have been on the database. ***Because there is no clear, consistent and transparent exit process, it can be assumed that many – perhaps the vast majority – of people were added to the database in their teens and preteens.***

All of California:

Age	Number in Database
10-14	460
15-19	23,329
20-24	58,576
25-29	41,750
30-34	32,864
35-39	20,195
40-44	11,656
45-49	7,021
50-54	3,501
55-59	1,104
60-65	638

Los Angeles County:

Age	Number in Database
10-14	143
15-19	7,524
20-24	22,960
25-29	16,933
30-34	12,832
35-39	8,770
40-44	5,313
45-49	3,161
50-54	1,573
55-59	466
60-65	273



POLICY RECOMMENDATIONS

To protect and support the positive development of all young people, the State of California and all individual cities and counties must adopt a bill of rights for youth and their families regarding the suppression policies carried out by law enforcement agencies – (District Attorneys, City Attorneys, police, sheriffs and courts).

Gang injunctions, databases and court enhancements:

- Are widely used without evaluating their cost effectiveness or effectiveness in increasing community safety;
- Are implemented without transparency, accountability or community review and oversight; and
- Deny people – especially youth of color - their due process rights as outlined in the U.S. Constitution and international human rights standards.

Until such time that these practices and policies can be fully and openly reviewed and evaluated, we question the validity of their existence.

At the very least, **people – whether children, youth or adults – who are impacted by these policies must have the following rights** enacted through state legislation and local agency policies:

Right to Notification and Appeal

Guarantee that people cannot be added to the Cal Gang (State Department of Justice) or local gang database(s) without receiving official notification and having the right to an appeal process if they want to assert that they are not involved or active. If people are under 18, their parent/guardian must also be notified of their identification by law enforcement and appeal process. Monitor the serving of gang injunctions to end the illegal threats/pronouncements made by some law enforcement that people are added to injunctions when they haven't been officially served.

Right to Removal

- 1. Establish and promote clear and fair ways for people to have their name removed** from databases and injunctions.
- 2. Do not require that people risk their own or their family's safety in order to be removed** by denouncing the neighborhood or telling, "debriefing" police, prosecutors and/or prison guards the names or activities of alleged gang members.
- 3. Ensure that people on gang database(s) and/or injunctions who are not convicted** of a "gang related" crime or a violent felony within two years, are removed from the database(s) and/or injunctions.
- 4. End the violation of people** (on Gang Injunctions, Probation and/or Parole) for living or being in contact with family members who are suspected gang members unless they are committing a crime together.
- 5. End the use of gang registration** which forces people to incriminate themselves by registering as a "gang member" with local law enforcement.
- 6. Ensure that people on Probation or Parole** who complete their Probation or Parole are removed from the gang database(s) and injunctions.

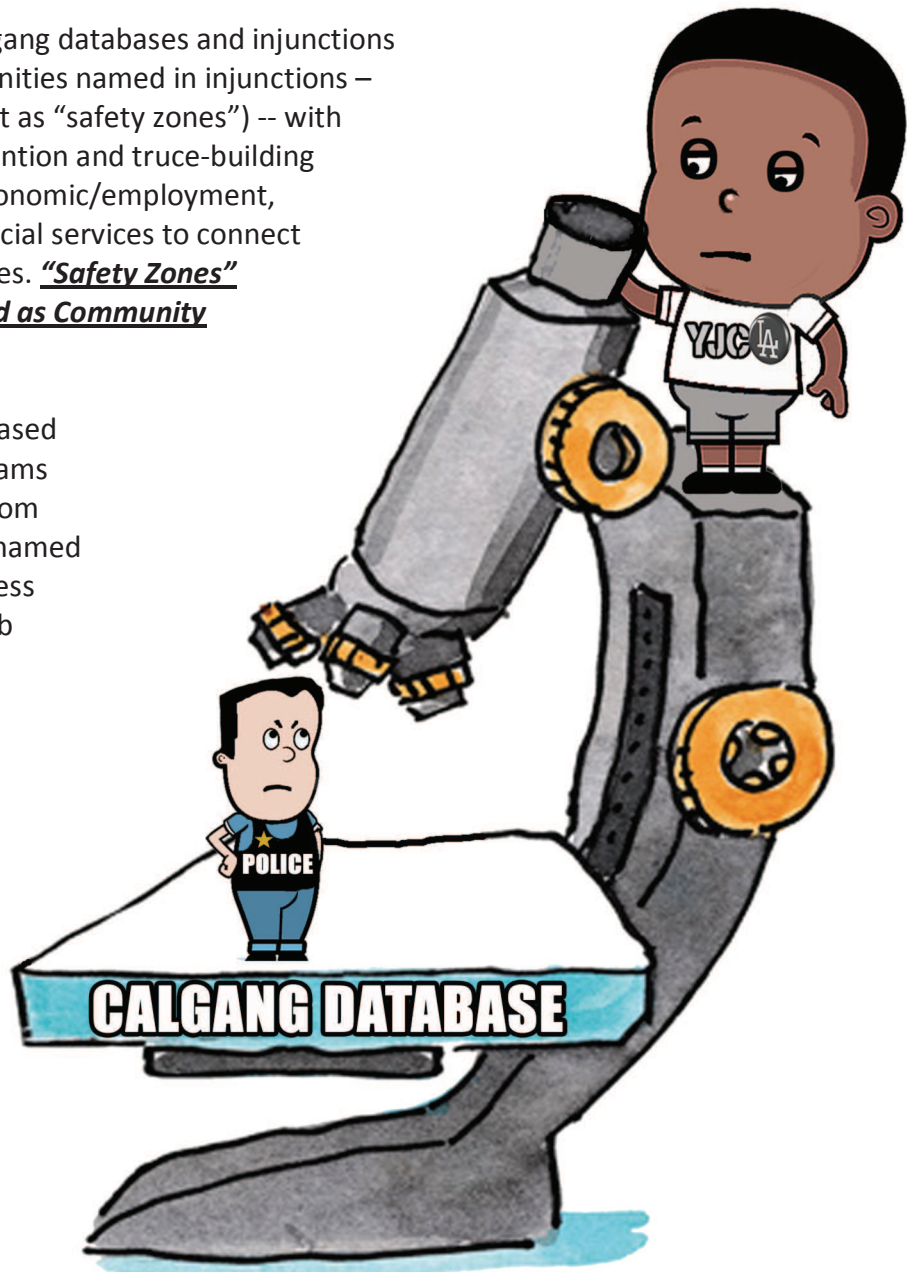
Right to Resources

1. Flood persons named in gang databases and injunctions along with the local communities named in injunctions – (labeled by law enforcement as “safety zones”) -- with violence prevention/intervention and truce-building supports, as well as with economic/employment, educational, housing and social services to connect people with essential services. **“Safety Zones” should be organized instead as Community Opportunity Zones.**

2. **Exempt** all community-based organizations, church programs and public transportation from gang injunctions so people named in an injunction can still access essential services such as job training, counseling, etc.

3. **For every dollar used to lock a young person up,** spend an equal or greater allocation of funds to support community-based, owned and operated alternatives to arrest, court, detention and incarceration, that focus on youth development – (drug treatment, recreation, job placement, tattoo removal,

education, youth organizing and leadership and/or cultural arts.) For example, in Los Angeles County, just 1% of the LAPD’s, LA County Sheriff’s, LA County Probation Department’s, LA City Attorney’s, LA County District Attorney’s, and courts budgets equals \$100 million a year which could fund 25,000 youth jobs, 50 youth centers open 3pm to midnight year-around, and 500 full-time intervention/peace workers on the streets and in schools.



4. End the involvement of school police, school security and school staff in gang suppression including adding people to databases. Use positive behavior intervention and supports, intervention/peace workers and restorative/transformational justice strategies to keep youth in school and prevent suspensions, expulsions and arrests.

5. Separate youth development from law enforcement in order to ensure that people most in need of redirection and support trust the service providers. Do not require that programs share information, files or youth progress with law enforcement. And, end L.A. County's practice of funding police, Probation and sheriffs departments to run prevention and intervention programs. Redistribute these funds to community-based programs, which are less expensive and more effective in developing youth and reducing violence.

6. City and county officials and law enforcement must support the ongoing truces and cease fires between neighborhoods, and build similar efforts in other communities. Establish a *Peace Process Coordinator in each region* to work with youth and communities to develop and implement local, comprehensive violence prevention plans. As part of this effort, establish a regional and statewide *Peace Councils* that includes intervention workers, youth and parents to develop and maintain gang truces, cease fires and other violence prevention projects, either on the streets or within juvenile halls, camps, jails and prisons.

Right to Protection and Respect

Enforce the human and civil rights of immigrants. Youth and young adults are increasingly deported to countries where they face being killed at the hands of mercenaries, law enforcement and militaries. Young people are often returned to countries where they have no history, no family, no home and no employment. Deportation has also exported L.A.'s culture of violence throughout the world. **1. Work with federal agencies to end the deportation of youth**, including people on gang databases and injunctions, as well as youth with misdemeanor and felony convictions, and reunite youth with their families. **2. Ensure that being on a gang database or injunction does not impact a person's chances for Dream Act eligibility** at the state or federal level or is used as an excuse for ICE detention or deportation.

Accountability

1. In order to monitor police activity and accuracy, ensure that each entry onto the database indicates the badge number, station and last name of the officer who *collected* the information as well as the officer who *entered* the information. **2.** End the use of and access to the CalGang database for school police or municipal and county police officers working within schools. **3.** The State Department of Justice must report at least quarterly on the number of people

added to and removed from the CalGang Database by race, age, gender, zip code and reporting agency and station.

CONTINUED INVESTIGATION

As we move forward with this research, there are several questions we are eager to answer:

1. We know anecdotally, that every time one of the 201,094 people on the database is stopped by law enforcement or otherwise comes in contact with the system, a gang label allows them to be more easily detained, more severely sentenced and more likely – if undocumented – to be deported. We are hopeful that data will enable us to test whether what we all witness is in fact happening.
2. How does the racial disparity in CalGang for African Americans and Latinos (especially young males) reflect saturation policing, racial profiling or increased criminalization of Black and Brown communities? Similarly, the State Department of Justice said they could not release data by zip code. We want to push for the release of this data in order to determine at what rate local law enforcement departments are using CalGang.
3. Is community and police violence higher or lower in areas with the greatest use of the CalGang Database and other gang suppression tactics?
4. How does being on the database, on a gang injunction, knowing someone on the database or an injunction, and/or living in a gang injunction neighborhood impact the way a person is perceived and treated in their family, school and community, a person's life chances, or access to resources and opportunities?

The Youth Justice Coalition is currently conducting the first large scale research project to ***assess the impact of the CalGang Database and gang injunctions on those that are most impacted***. Our methods will include surveys, interviews, GIS mapping, ethnography, content analysis, and statistical calculations. We will issue small reports like this one to tell you about what we are finding. Please let us know what additional information you want, how best to support you in using this information and how we can involve you in building a movement to address concerns raised by this research.

We also encourage everyone to conduct your own research on the issues that concern you. The YJC's RealSearch Action Research Center was created to inspire and support community, youth, family and prisoner-led research. Please contact us if we can be of any support or if you have advice or ideas on how to improve our work. ***You can also submit your own Public Records Act Request to any government agency using the template below.***

SAMPLE PUBLIC RECORDS ACT REQUEST LETTER

Date _____

Name and Title (of the official
with custody of the records)

Name of Agency _____

Address _____

RE: Public Records Act Request

Dear _____,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to (inspect/obtain a copy of) the following, which I understand to be held by your agency:

(Describe the record as precisely as possible, including the designation of any forms or reports with titles, the date or dates if relevant, the author and addressee if the item is a letter or memo, etc. If the record is referred to in another document or published report and it will help to attach a copy of that reference, do so.)

(Use the following if applicable:) I would not ordinarily trouble you with this written request, but when I first made it informally I was told by _____ that your agency considers the information to be exempt from disclosure because _____. I respectfully suggest that this position, if I understand it correctly, is inconsistent with the Act as it has been interpreted in the following (authority/authorities...cite case or Attorney General's opinion).

I ask for a determination on this request within 10 days of your receipt of it, and an even



prompter reply if you can make that determination without having to review the record[s] in question. If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested.

In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed. If I can provide any clarification that will help expedite your attention to my request, please contact me at (provide phone or fax number, etc.). I ask that you notify me of any duplication costs exceeding \$xx before you duplicate the records so that I may decide which records I want copied.

(Use the following as applicable:) I am sending a copy of this letter to your legal advisor to help encourage a speedy determination, and I would likewise be happy to discuss my request with [him/her] at any time.

Thank you for your time and attention to this matter.

Sincerely,

s/_____

ABOUT REALSEARCH – THE ACTION RESEARCH CENTER

RealSearch projects are conducted by youth, families, grassroots organizers, and other community members to explore the issues that are important to us. Most research is conducted from the protection and isolation of a university tower, science laboratory, or corporate boardroom. *Real Search takes those of us in the community out from under the microscope.* Beyond the role of storyteller, we are claiming our rights as researchers, analysts, problem solvers, and the architects of programs and public policy.

Specifically, RealSearch aims to give youth and communities opportunities to search for and distribute the truth about our lives, with *our* analysis and *our* solutions. We are answering questions that are important to *us*, will *benefit* us, and will be an accurate reflection of our worlds.

Why RealSearch is Needed: Traditional research generally reflects the perceptions of white, middle and upper class people “exploring” low income communities and communities of color, taking our knowledge, experiences, and solutions, and publishing it for their own benefit and profit. At times, the work also benefits the researched community. But, more often, research spreads misinformation, flawed analysis and failed solutions leading to our further oppression.²

The most serious harm includes:

1. DUSTY SHELF RESEARCH – “Research” that only uncovers what the community has always known. In other words re-searching the same conditions over and over again only to arrive at the same conclusions. The result of such studies is not to implement solutions, but to *postpone* or *prevent action*. The solutions that are so desperately needed to alleviate real suffering are proposed – but never enacted – for decades. Such studies not only replace the real need for policy change, but also weaken the community’s ability to hold governments or corporations accountable. How many times have we heard policy makers hide behind the claim that they have ordered “a study of the issue,” “an investigation the facts,” “the input of key stakeholders,” or “the gathering of more data.”

2. RESEARCH THAT IS NOT PART OF A LARGER MOVEMENT-BUILDING EFFORT – When research is not accountable *to*, and conducted in consultation *with* community leaders, it doesn’t have the people power needed to push for the implementation of proposed solutions. In other words, once the research is published, there is no follow-up organizing pressure put on the authorized government or corporate leaders.

3. RESEARCH THAT CAUSES IRREPARABLE HARM, DAMAGE OR DEATH – The majority of traditional academic, government, and private foundation researchers construct theories that serve to maintain or broaden inequalities in society. In fact, the idea that research is unbiased and ethical has been disproven over and over again throughout history – (eugenics, the syphilis experiments at Tuskegee and in Guatemala, and widespread experimentation on human subjects in Nazi Germany to name a few examples.) After all, research is a human creation, impacted by all the prejudices and hidden agendas that we carry as humans. When the means of funding and promoting research is almost entirely in the hands of people with more class, race, political and educational privileges, the results rarely challenge existing power dynamics,

and lead to years – even decades – of harm. (Think Dilulio’s predictions of a generation of youth super-predators, or Wilson’s and Kelling’s theory of broken windows policing, and the impact both these theories have had on the massive incarceration rates of youth of color.)

Yet, the myth that research results in *unbiased truth* remains a core part of society’s beliefs. Policy makers regularly site biased and failed research in their implementation of harmful policies. Mainstream media quotes study after study without any real investigation or counter-analysis. To add salt to the wound, the fame and financial fortunes collected are not shared with the people who have *lived* the studied experiences or who suffer the consequences.

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ENDNOTES

1. Molly Bruder, *Say Cheese! Examining the Constitutionality of Photostops*, 57 AM. U.L. REV. 1963, 1702 (2008).
2. *RealSearch* is a project of the Youth Justice Coalition @ *Chuco’s Justice Center*.

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