PREFACE

A word of caution: our stories are not just for entertainment.
—Leslie Marmon Silko, Ceremony, 1977

You know nothing, and worse than nothing, about the working class. Your sociology is as vicious and worthless as is your method of thinking.
—Ernest Everhard in Jack London’s The Iron Heel, 1907

An old, rusty refrigerator had been knocked over on the side of Pelon’s garage. It was white and dented on the edges and looked like it had not been used in a decade. Its metal cooling rods faced the open sky. A twenty-four case of Corona beer filled with empty bottles sat on top of the rods. We had tagged the refrigerator at the height of our delinquent careers; finely scrawled on the side in black marker were nicknames for sixty-eight of our “homies.” I was with Pelon, a former fellow gang member. We turned the refrigerator over and read aloud to each other, “Dre, Moreno, Sleepy, Conejo,” each homey coming to life as we said his name. Eventually we couldn’t help but count. Out of sixty-eight members in the gang—we estimated, based on memory and after making a few phone calls—twelve were in prison serving three years to life, sixteen were in jail or prison serving sentences ranging from three months to three years, and the remaining forty had been incarcerated at one point in their lives. We knew this because we had spent years on the streets together, looking out for one another, protecting each other, and taking part of each other’s lives, like family. At this moment, on a cool spring evening in 2002, in front of this old refrigerator, it dawned on us
that by the time we reached our early twenties, none of the homies had avoided incarceration.

Most of us who were not currently locked up still fared miserably: seven murdered, six permanently injured from bullet wounds—one had been blinded, two paralyzed from the waist down, and three with permanent scars and debilitating injuries—and about a dozen were severe drug addicts, some of whom begged for money on the streets. From our estimate, out of sixty-eight homies, only two of us graduated from high school, and only I had made it to college. About a dozen had managed to evade major tragedies and, by the standards of the inner city, had become successful. Pelon had started a family and worked as a laborer for a moving company making twelve dollars an hour. He was the most stable homeboy I kept in touch with.

As we sat in front of Pelon’s old garage with splintering green paint chips scattered on the ground, we reminisced about “back in the day” when we first met Smiley. We were about fourteen years old and had just recently joined the gang. Smiley was a naive kid our age who was physically abused by his parents. They often kicked him out of his house and onto the streets as a punishment for questioning them or telling them about his teachers’ treating him negatively. We called him Smiley because no matter how bad his circumstances were—homeless, victimized, or hungry—he always kept a radiant grin on his face. But his smile got him in trouble. When we gave him the nickname, he told us he thought it was appropriate because he remembered always smiling in class, and the teacher always thought he was laughing at her. When he didn’t understand what was going on in class, he would smile, and when the teacher yelled at him, he would smile. I remember one time when we were hanging out on one of our gang’s street corners, on International Boulevard, rival gang members drove by shooting at us, and, as I turned to tell him to run, I could see he was looking at them with a big smile.

Smiley was an innocent kid who I felt was growing up in the wrong place at the wrong time. Smiley told us stories that from a young age his teachers treated him punitively. He was seen as a problem kid in school and spent many of his school days in the detention room. On the street, police often stopped him as he walked home from school, even before he joined the gang, because from their perspective the baggy clothes he
wore marked him as a gang member. I was there many times when this happened. I had already joined the gang, but Smiley was not involved. Yet police treated him like the rest of us. He was followed around, constantly searched, handcuffed, and harassed. Over time, I noticed Smiley increasingly turn to the gang because he believed it was his only source of support.

I joined the gang seeking the protection that I thought police and other authority figures in my community had failed to provide. Smiley, like many other homies, wanted to join for similar reasons. When he was fourteen, we offered to jump him into the gang: a group beating that was the standard initiation ritual. He agreed, and that same night we took him to the side of Pelon’s garage, where, next to the abandoned white refrigerator, a group of about eight of us punched him in the face, slammed him to the ground, and kicked him in the stomach. One of the homies grabbed a tall umbrella and hit him with it until the umbrella’s aluminum structure collapsed and the fabric ripped off. After a few minutes we picked him up, gave him hugs, and handed him an “8 ball,” a forty-ounce bottle of Old English Malt Liquor. He was officially one of us, part of our “familia,” our “street family.”

Eventually, Smiley and I became best friends. We took care of each other. One day, when his parents permanently kicked him out of the house, I told him not to worry. “I’m going to find you a house,” I said. That night, I stole a 1980s Oldsmobile Cutlass Supreme, breaking the steering column with a large, heavy-duty flat-head screwdriver to gain access to the ignition rod. I drove it to our neighborhood, walked up to Smiley, handed him a screwdriver, and told him, “Here’s your new two-bedroom apartment.” Referring to the front and rear bench seats, I joked, “I’ll sleep in the front room, and you sleep in the back room.”

A few days later, I was pulled over by police for driving this stolen car. When I stopped in the parking lot of a large drug store on the intersection of Fruitvale Avenue and Foothill Boulevard in East Oakland, the cops dragged me out of the car, knocked me on my back, and repeatedly kicked me in the stomach and legs. I remember yelling like a little boy: “Awww! Help! Awww! Help!” The officer kicking me shouted back, “Shut the fuck up! You want to be a criminal, then you’re going to get treated like one!” He stomped my face against the ground with his thick, black, military-grade rubber boots, his shoe’s sole leaving scrapes and gashes on
my upper lip and cheek bone. I was fourteen years old. After the beating, I was taken to “One-fitty,” the name we had given the juvenile justice facility in our county because it was located on 150th Avenue (in the city of San Leandro). Neither the beating nor the few days I was held at One-fitty taught me a positive lesson. Instead, while I was doing time, a boy I met by the name of Tony taught me how to sand down a 1980s Honda car key to convert it into a master key for all early-1980s Honda cars. The day after my release, I got a hold of a 1980s Honda key, scraped it on the cement over the course of a few hours, went to a BART (subway) station parking lot, and stole another car to pick up Smiley and “go cruising.”

A year later, after a few stints in juvenile hall and many experiences with violence, crime, drugs, and punishment, Smiley, Big Joe, and I visited some girls we had met. They lived in a neighborhood where many of our rival gang members lived. When we arrived, we spotted the girls sitting on their front porch. As we began talking with the girls, we noticed that a group of about eight rival gang members were walking down the street toward us. We were all about the same age, fourteen to seventeen years old, and all dressed the same: baggy, creased up, Ben Davis or Dickies brand work pants, with tucked in white T-shirts or baggy sports jerseys. The only difference is that we wore different colors to represent our affiliation.² Apparently word had gotten out that we were intruding in their neighborhood. They recognized us from previous fights we had with them over the past few months. Trying to prove our toughness, we threw up our gang signs and called them out for a one-on-one fight. Their plan was different. They wanted to gang up on us and beat us down. Once they reached us, they surrounded us, and we began to fight. I fell down a few times, and the last time I got up, one of them pulled out a gun. I ran. Hearing gunshots, I leaped between two cars for protection. I turned back: our enemies faded away as they scattered behind apartment buildings. I checked my body for blood to see if I had been shot. I was fine. I found Big Joe lying on the ground. He stood up and told me he was fine. We looked for Smiley. He was nowhere in sight. I turned the corner on the car I hid behind. There he was, face flat on the ground. I ran over to him, kneeling over his body and grabbing him, trying to get him to stand up. Smiley had been shot. The bullet hit him in the head.
Fresh human blood painted a picture of death on my brand-new pair of white Nike Cortez tennis shoes. I stood on that dark street knowing that my best friend was dying. I thought, as the movies had taught me, he should have been dead the instant the bullet hit his skull, but he continued to twitch and shake as we drove him to the hospital. We’d decided not to call an ambulance; we knew from previous experience that it wouldn’t arrive in time. In the past we had been told by law enforcement that standard procedure dictated that the police had to clear a crime scene before EMTs could move in, and we had lost many friends and relatives to this policy. The ambulance often took over forty-five minutes to arrive when someone was shot in my neighborhood. A few hours later at the hospital, Smiley was declared dead.

The police told me that it was my fault that my homeboy had died and threatened to arrest me for being present at the shooting, with a charge of accessory to murder. I asked them if they were “going to catch the murderer.” “What for?” one of the officers replied. “We want you to kill each other off.” Smiley’s death, and my negative interactions with police, forced me to reflect on the larger picture of youth violence and criminalization in Oakland. Without knowing it at the time, I began to develop a sociological imagination. I began to realize that in order to understand my personal predicament, I needed to find out how youth and police violence became so prevalent in my community. Although I could not articulate it at the time, it was at that moment when I recognized, “Neither the life of an individual nor the history of society can be understood without understanding both.” It was at this critical juncture that I began to seek answers.

I made it “out the game” only because of the various support programs that I was fortunate enough to find. Before Smiley died, I had dropped out of high school for two semesters. After Smiley’s death, a teacher, Ms. Russ, found out about my troubles and reached out to me. She began to guide me. After ten years of schooling, I finally felt that a teacher cared about me. She contacted my probation officer, recruited university students to mentor me, and demonstrated a genuine commitment to my well-being.

One day, as I walked the line, deciding whether I would take my teacher’s support seriously and engage in my education, I had an encounter
with a police officer. His name was Officer Wilson. I had been drinking on a school day and provoked a fight with a rival gang member in front of Oakland High School. Officer Wilson arrived at the scene, breaking up the fight. He took me inside his patrol car and asked me if I was on probation; I told him that I was. Officer Wilson told my rival to go back to school. He put me in his patrol car, drove me to the police station, and dropped me off in an interrogation room. He told me, “You know I can arrest you and charge you with multiple infractions. . . . Tell me, man, what is going on in your mind?” I poured my heart out. I told the officer my story, my perspective. For about an hour, he listened. He then told me, “I’m going to give you a chance . . . I’m going to let you go, but I want to see you make an effort to change your life around. Next time I catch you, I will make sure to lock you up.” This last chance, combined with the multiple opportunities offered by my teachers and mentors, motivated me to begin the transformation process. I was ready to change, and, at that very moment, I found key individuals who were ready to help me along the way. I returned to my teacher and told her that I was ready. She began the process of advocating for me and convincing administrators to give me a second chance. Ms. Russ and Officer Wilson shared an insight in working with troubled young people: if they were to make a change in gangs, youth violence, and negative police-community interactions, a pipeline of opportunities had to be provided for street-oriented youths.

By the time I was ready to graduate, I had brought up my grade-point average from 0.9 to 1.9. I was encouraged by college-student mentors to apply to college, and I did. A few months later, I received a letter of conditional acceptance to California State University, East Bay. The letter informed me that I was accepted under “probationary status.” I pictured myself being followed around campus by a probation officer. I told myself, “Probation? I’m already on probation, so it won’t matter.” I didn’t realize that probation in college meant I would be expelled if I received below a C average, not that I would have someone constantly watching over me.

I completed my B.A. degree in four years while I worked full-time to help support my siblings. I chose not to live in the university dorms, instead moving in with my mother, Raquel; my sister, Rosa, aged twelve; and my brother, Miguel, aged fourteen, who was in a gang, addicted to
crack cocaine, and in and out of juvenile hall. Throughout my childhood and adolescence, my family had lived on 88th Avenue and D Street in “Deep” East Oakland, 33rd Avenue and East 15th in East Oakland, and the “Lower Bottom” of West Oakland—wherever my mother could find an affordable apartment. During my first two years of college, we lived in a small, dilapidated shack in West Oakland. It had a cracked foundation that made the termite-infested house rock any time we walked up the stairs. Crack dealers usually sat on our steps in the middle of the night. They were often loud, yelling, and beating up on their girlfriends or crack-addict customers.

Despite my making it into college, conflict continued. Again, I asked the police for help, and again, they ignored me. We were forced to move after my mother’s brother, my uncle Dario, was gunned down and killed while he stood between my mother and me on the corner of our street. It seemed that police were there selectively, to arrest my family and friends for petty acts but not to arrest the main drug dealers and victimizers who continued to prey on my community. As a researcher in the making, I wanted to understand why and how these officers would ignore certain major crimes and at the same time arrest so many residents for such minor infractions.

These experiences made me hanker for an understanding of urban violence and the government’s treatment of the poor. In my college courses, I read books that discussed the government’s neglect of the poor. While insightful, these books missed a key process that I had personally experienced: the state had not abandoned the poor; it had reorganized itself, placing priority on its punitive institutions, such as police, and embedding crime-control discourses and practices into welfare institutions, such as schools. In my perspective, the state, in my community, had punitively asserted itself into civil society. However, I could not be certain that the ideas I developed from my personal experience applied to anyone else. I needed to see if these experiences applied more broadly to the youth growing up in the flatlands of Oakland during a different time period. I applied to graduate school to pursue this study. In 2000, I was accepted as a Ph.D. student at the University of California, Berkeley. Given the opportunity to study race, inequality, and crime with some of the leading intellectuals in the country, I decided to try to understand the
social forces that impacted the community where I was raised. To begin to understand this process, I befriended, mentored, observed, and interviewed Black and Latino boys in Oakland for over three years. As I spent more time in the field, I realized that while violence was very prevalent in the community, criminalization was also a “fabric of everyday life” for the youths I studied. As my research unfolded, it became clear that in this community there existed a powerful culture of punishment, which shaped the ways in which young people organized themselves and created meanings of their social world.

The insights I gained by observing and interviewing these young men, as well as participating in the environment they navigated daily, helped me expose the role that criminalization played in their lives. I define criminalization as the process by which styles and behaviors are rendered deviant and are treated with shame, exclusion, punishment, and incarceration. In this study, criminalization occurred beyond the law; it crossed social contexts and followed young people across an array of social institutions, including school, the neighborhood, the community center, the media, and the family. The young men in this study found themselves in situations in which their everyday behaviors and styles were constantly treated as deviant, threatening, risky, and criminal by adults in the various social contexts they navigated. I define this ubiquitous criminalization as the youth control complex, a system in which schools, police, probation officers, families, community centers, the media, businesses, and other institutions systematically treat young people’s everyday behaviors as criminal activity. The youth control complex was fueled by the micropower of repeated negative judgments and interactions in which the boys were defined as criminal for almost any form of transgression or disrespect of authority. Young people, who become pinballs within this youth control complex, experience what I refer to as hypercriminalization, the process by which an individual’s everyday behaviors and styles become ubiquitously treated as deviant, risky, threatening, or criminal, across social contexts. This hypercriminalization, in turn, has a profound impact on young people’s perceptions, worldviews, and life outcomes. The youth control complex creates an overarching system of regulating the lives of marginalized young people, what I refer to as punitive social control. Hypercriminalization involves constant punishment. Punishment, in
this study, is understood as the process by which individuals come to feel stigmatized, outcast, shamed, defeated, or hopeless as a result of negative interactions and sanctions imposed by individuals who represent institutions of social control.

Although I began this project from the perspective of my own life experience, I resumed with a systematic and empirical examination of the lives of the youths in this study. Life stories and voices of youths teach us about the mechanisms of criminalization that are a part of their daily lives. Observations allowed me to uncover the contradictions between what was being said and what actually occurred and to corroborate or confute what young people told me. From this point forward, the generalizations that I make come from the empirical data, unless otherwise noted.

My central argument is that criminalization was a central, pervasive, and ubiquitous phenomenon that impacted the everyday lives of the young people I studied in Oakland. By the time they formally entered the penal system, many of these young men were already caught in a spiral of hypercriminalization and punishment. This cycle began before their first arrest—it began as they were harassed, profiled, watched, and disciplined at young ages, before they had committed any crimes. Eventually, that kind of attention led many of them to fulfill the destiny expected of them. Criminalization left these marginalized young people very few choices, crime and violence being some of the few resources for feeling dignity and empowerment. Previous theorization has stopped here, describing this entrapment, blocked opportunity, and victimization. I move beyond these ideas and demonstrate that agency is very prevalent among these youths. A paradox existed among the youths in my study: criminalization became a vehicle by which they developed political consciousness and resistant identities. Unjust interactions with the youth control complex created blocked opportunities, but they also ignited the boys’ social consciousness and developed worldviews and identities diametrically opposed to the youth control complex and mass incarceration. Some boys even developed a more formal political identity that called for a change in the system which so oppressed them.

My hope is that the first-person account and evidence I provide of the overarching reach of criminalization and punitive social control in
Preface

the lives of young people will inspire policymakers to create alternative, more reintegrative approaches to law and order; that education, criminal justice, and community practitioners will change punitive practices and establish genuine caring relationships with these youngsters; that researchers will shift their levels of analysis so that we can account for other processes in the inner city beyond violence, pathology, or fixed typologies; and that by reading this book, young people will become further inspired to succeed despite the obstacles they might find in common with the boys in this book.

There is a way to transform punishment, to generate creative means of social control, which provides viable rehabilitation for delinquent youths and which does not spill over and affect young people who have yet to commit crime. It will take imagination and the courage to adopt successful models that attempt to transform the punitive way in which young people are treated in marginalized communities. There are a few individuals, such as my teacher, Ms. Russ, and Officer Wilson, who have broken away from punitive social control and aim to change the way young people are treated, and they can serve as examples. Maybe then a new generation of former gang members and delinquents will read names from an old refrigerator and celebrate multiple high school graduations and college degrees, instead of mourn the incarcerated and excluded lives of their friends and family.