The Effect of Anti-Gang Laws on Crime and Social Control

Ángela Zorro Medina

Over the last decades, gang violence has been one of the major public safety concerns in the U.S. Different programs and governmental strategies have been developed to prevent violence associated with gang activity and to reduce gang-related crime in the country. All fifty U.S. states have enacted anti-gang legislation throughout the last five decades as part of these programs. A few studies have evaluated policy interventions in concrete jurisdictions, but a national study exploring the effects of these laws in the U.S. has not been done yet. In this paper, I explore the effect of six different types of anti-gang legislation on gang-related crime rates, arrest rates, and incarceration rates. I estimate the impact of passing comprehensive anti-gang acts, anti-gang curfew laws, anti-gang participation laws, anti-gang recruitment laws, anti-gang intimidation laws, and anti-gang criminal intelligence laws. To do this, I exploit the staggered implementation of these laws across the U.S. and evaluate what happened in the outcomes of interest after the implementation of anti-gang laws. The results show that there are no statistically significant effects on most crime rates, and results are imprecise for those where a significant effect is observed. In contrast, an increase in arrest rates and admission to prison occurred after the implementation of these laws.

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1. Introduction

Over the last decades, anti-gang laws have been at the center of legislative reforms and judicial decisions. To this date, all fifty states in the U.S. have enacted anti-gang legislation throughout the last five decades. California became the pioneer on anti-gang legislation in 1988 enacting the Street Terrorism Enforcement and Prevention Act (Step Act).[1] The Step Act criminalized gang participation and recruitment and included sentence enhancements for gang members involved in criminal activities. Additionally, the Step Act included nuisance provisions targeting specific places utilized by gang members for criminal activity. After the enactment of the Step Act, several states followed California's example and quickly enacted similar legislation.

Law enforcement agencies and courts across the U.S. promoted the enactment of anti-gang laws arguing that attempts to control gang violence and gang related criminal activity had failed in the past because traditional criminal laws failed against these organized groups. The proliferation of anti-gang laws has been largely discussed by legal scholars arguing that these laws are unconstitutional under the First Amendment (Right to Associate) and the due process clauses of the Fifth and Fourteenth Amendments (Bjerregaard 1998, 2015; Flores 2021).

Despite the constitutional challenges presented against anti-gang legislation, most anti-gang state laws have been upheld. One of the few anti-gang regulations that has been declared unconstitutional is Chicago's anti-gang ordinance. In 1999, the Supreme Court in *Chicago v. Morales* held that Chicago's Gang Congregation Ordinance was unconstitutionally vague and provided law enforcement agents too much discretion to decide what constitutes loitering.

[1] *CAL. PENAL CODE §§ 186.20-186.33.*

Despite the Supreme Court's decision in *Morales,* the debate around the constitutionality of anti-gang legislation is far from being over. After *Morales,* states and local governments have continued enacting anti-gang laws making these new statues specific enough to withstand constitutional challenges but maintaining the same underlying problems existing in Chicago's Gang Congregation Ordinance.

The constitutional debate around the proliferation of anti-gang legislation has widely focused on the arbitrary and discriminatory potential of these laws from a doctrinal perspective. Yet, only a few studies have explored empirically these questions, estimating whether these laws actually expanded social control. It remains unclear whether police officers, prosecutors and judges are using and applying these laws in the way legal scholars argue without empirical evidence showing a connection between more social control and the enactment of anti-gang legislation. At the same time, legislators keep arguing that anti-gang laws are the only way to increase public safety relying on the untested efficacy of these laws to deter gang related criminal behavior.

Some of the most common strategies to fight gang criminality across the different states have been the enactment of comprehensive anti-gang acts, curfew laws, anti-gang intimidation laws, anti-gang recruitment laws, anti-gang participation laws, and anti-gang criminal intelligence laws. The comprehensive acts include the creation of new-gang-related crimes and contain provisions making any crime committed on behalf of a gang a more serious offense than it otherwise would be. Most comprehensive acts were patterned after the California Step Act.

With the enactment of the Step Act, California opened a path to fight gang criminal activity using criminal legislation as an effective tool to punish and deter this behavior. After the enactment of the Step Act, eleven states passed similar legislation between 1990 and 2007, including Florida

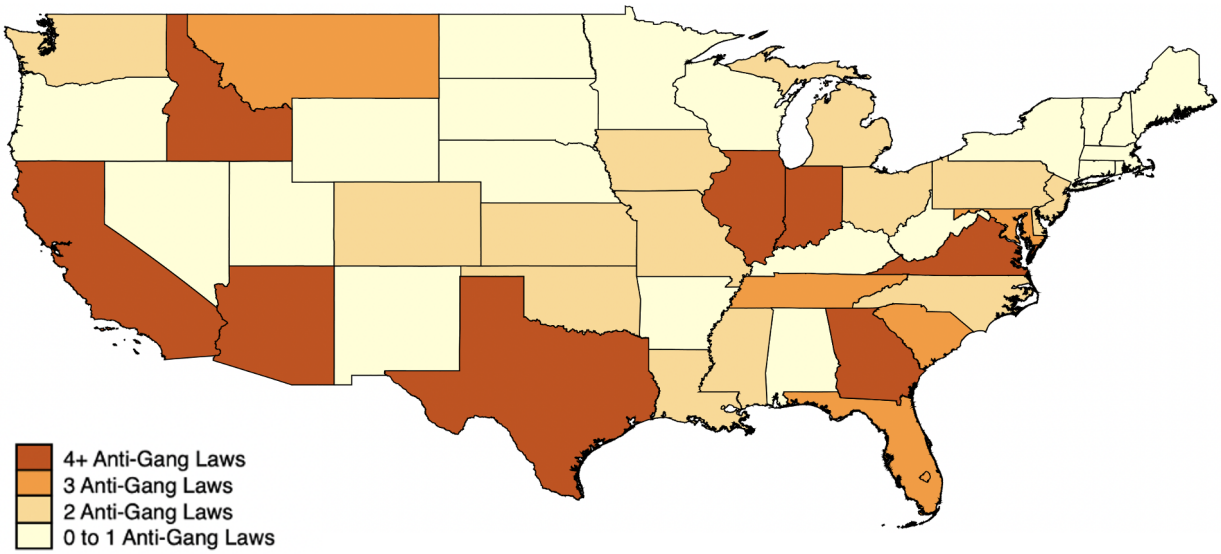
and Illinois. By enacting comprehensive acts, these eleven states followed the logic of deterrence theory. According to deterrence theory, increasing the cost of committing an offense to a point where the costs outweigh the benefits of the illegal activity prevents crime (Erickson, Gibbs, and Jensen 1977; Gibbs 1986; Zimring, Hawkins, and Vorenberg 1973). Thus, the comprehensive acts look to deter gang-related activity by increasing the cost of these activities through their criminalization while increasing the cost of all previous criminal offenses.

Within the deterrence theory, two mechanisms affect criminal behavior. On the one hand, a general deterrence mechanism uses policies or laws to dissuade the general population from committing crimes. On the other hand, a special deterrence mechanism involves administering punishment to criminals to discourage them from committing crimes in the future. The comprehensive acts enacted across the U.S. combine the general and specific deterrence mechanisms. Evoking the general deterrence mechanism, comprehensive acts signal an increase in the cost of engaging in gang-related criminal activity by criminalizing gang activity and by increasing the punishment of pre-existing crimes connected to gang activity. At the same time, harder sentences intend to increase the specific deterrence power of existing laws.

While comprehensive acts are the most aggressive form of anti-gang legislation, other states have used similar legislation targeting gang activity without including extensive acts. For instance, thirty-four percent of U.S. states have used curfew legislation to reduce the opportunity to engage in gang-related activity, twenty-three percent of states have enacted laws targeting participation in criminal gang activity, fifty percent of states have enacted statutes criminalizing gang recruitment, and thirty-three percent of states have enacted laws targeting gang-related intimidation. [2] Figure 1 shows the distribution of these six types of anti-gang laws across the U.S.

[2] Table 1A of the appendix shows the distribution of these anti-gang laws across the U.S. states.

Figure 1. Map of Anti-Gang Laws in the U.S.

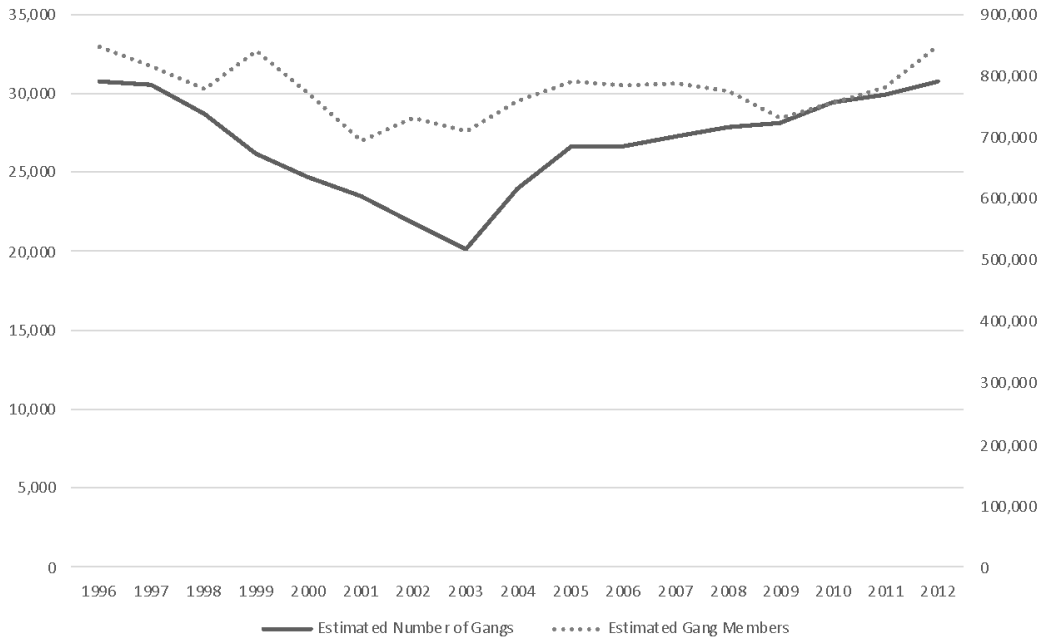


Despite the proliferation of anti-gang legislation, little is known about the effectiveness of these laws in reducing crime rates. A few studies have evaluated policy interventions in concrete jurisdictions, but a national study exploring the effects of these laws in the U.S. has not been done yet. For instance, in 1999, a paper examining the impact of aggressive curfew policies and truancy enforcement in Dallas concluded that these strategies led to a significant reduction in gang violence (Fritsch, Caeti, and Taylor 1999). Obtaining similar results for the Los Angeles case, Ridgeway, Grogger, and MacDonald (2019) conclude that gang injunctions reduce total crime by 5% in the short term and 18% in the long term. Contradictory results come from a study developed by McGarell et al. (2013) exploring the effects of comprehensive anti-gang initiatives across 12 U.S. jurisdictions showing no impact of these interventions on gun homicides.

The mixed empirical results open the question of anti-gang legislation's effects. Descriptive empirical evidence suggests that these laws potentially influenced gang activity in the U.S. During

the period following the comprehensive acts wave, the country observed a decrease in gangs and gang members. Between 1996 and 2003, the U.S. experienced a reduction of 35% in the number of gangs (see Figure 2), and between 1998 and 2001, a decline of 11% in gang members (see Figure 2). However, the effect of these laws on crime rates remains an empirical question that needs to be addressed.

Figure 2. Estimated Number of Gangs and Gangs Members in the U.S., 1996-2012



Source: National Young Gang Survey-National Gang Center

Maintaining these laws without knowing if they work to deter crime is highly problematic as some scholars have highlighted how these laws often grant a significant amount of discretion to law enforcement agents, which can lead to arbitrary and discriminatory application of the law (Bjerregaard 1998, 2015; Stewart 1997; Strosnider 2002).[3]

[3] See Lanzetta v. New Jersey, 306 U.S. 451 (1939); Kolender v. Lawson, 461 U.S. 352 (1983); Chicago v. Morales, 527 U.S. 41 (1999).

In this paper, I intend to address the question of the impact of anti-gang laws by exploring the effects of six different types of anti-gang legislation on nine crime rates, the arrest rates, and incarceration rates. I estimate the effect of passing comprehensive anti-gang acts, anti-gang curfew laws, anti-gang participation laws, anti-gang recruitment laws, anti-gang intimidation laws, and anti-gang criminal intelligence laws. I estimate the effect of anti-gang laws on crime related activity and on arrest and incarceration patterns as measures of social control expansion. To do this, I exploit the staggered implementation of these laws across the U.S. and use a difference-in-difference approach with time-variant treatment. In the following sections, I will present a literature review about anti-gang laws in the U.S. and the deterrence theories supporting their enactment. Next, I will discuss the inequality implications of these laws and why legal scholars have widely criticized them. Subsequently, I will describe the data and methods used in this paper. Finally, I will present the results and briefly discuss the findings.

2. Literature Review

2.1 Modern Wave of Anti-Gang Legislation

Sociological literature explains that gangs have existed in the U.S. for more than a century (Cummings and Monti 1993; Howell 2015), yet, the proliferation of modern anti-gang legislation only happened in the 1980s after the enactment of California's Step Act. Although California had a long tradition of gangs in cities like Los Angeles before 1988, there were no specific criminal provisions to address gang activity. However, in 1988 an event transformed the vision of Californians around gang violence, leading to the enactment of the Step Act that criminalized active knowing participation in a criminal street gang.[4]

[4] Under the California law a criminal street gang is an "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 criminal acts enumerated, 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". CAL. PENAL CODE 186.22

In January 1988, in the middle of a shooting between two gang members, a bystander lost her life near the University of California at Los Angeles. The murder of Karen Toshima exposed Los Angeles residents to gang violence outside the confinement of traditional disadvantaged neighborhoods. As a result, California enacted the first comprehensive anti-gang act using the federal racketeering approach to fight organized crime.[5]

Following the Step Act, twelve more states enacted comprehensive acts mirroring California's legislation, and all fifty states have enacted legislation following the same approach as the Step Act: criminalizing gang participation, gang recruitment, and witness intimidation in cases related with gang activity (see Table 1A at the Appendix).

Although currently California's approach to enact a state law to address anti-gang criminality has been widely followed across the U.S., cities like Chicago have enacted anti-gang ordinances focusing on providing police with the power to arrest gang members. In 1992, Chicago enacted the Anti-Gang Loitering Ordinance prohibiting "criminal street gang members" from loitering in public places. Under Chicago's Anti-Gang Ordinance, the police disproportionately arrested racial minorities until 1999 when the Supreme Court ruled it unconstitutional.

In *Chicago v. Morales*, the Supreme Court found that Chicago's ordinance was unconstitutionally vague because it failed to provide minimal standards to guide law enforcement officers on what constitutes "apparent purpose". Thus, according to the Court, the ordinance failed to give adequate notice to citizens about what is forbidden. Besides the violation to the vagueness doctrine, Justice Stevens concluded that the ordinance failed the *mens rea* requirement affecting constitutionally protected rights.

[5] See the Racketeer Influenced and Corrupt Organizations Act.

Besides stating that Chicago's ordinance was unconstitutional, Justice O'Connor noted different alternative modifications to the ordinance to make it constitutional. First, Justice O'Connor suggested including a *mens rea* requirement. Second, she suggested that the ordinance targeted only gang members. Third, Justice O'Connor suggested limiting geographically the application of the ordinances. And finally, she suggested narrowing the definition of loitering.

After Chicago's Anti-Gang Ordinance, cities and states have carefully followed the Supreme Court's standard under the lines stated by Justice O'Connor. However, legal scholars have rightfully pointed out that it is unclear whether following the *Morales* standard guarantees a protection of civil liberties and the rights protected by the Fourteenth Amendment.

2.2 Deterrence Theories & Anti-Gang Legislation

The anti-gang legislation studied in this paper can be divided into three groups. The first group contains the comprehensive anti-gang acts, the anti-gang participation laws, the anti-gang recruitment laws, and the anti-gang intimidation laws. In these laws, the legislators appeal to the deterrence theory to prevent gang-related criminal activity. According to the deterrence theory, apprehending, prosecuting, and punishing affect crime by three different mechanisms. The first one is incapacitation. Once offenders are convicted of a crime and punished with imprisonment, their physical isolation from society during incarceration prevents them from engaging in further criminal activities. The other two mechanisms are considered behavioral mechanisms that intend to discourage criminal acts. Criminology scholars divide the behavioral mechanism into two: specific deterrence and general deterrence mechanisms.

The specific deterrence mechanism refers to the effect of the experience of punishment on reoffending (Nagin 2013a). From a specific deterrence perspective, after experiencing punishment, the convicted criminal decides to avoid a similar future situation by not reoffending again. Yet, some scholars have pointed out that there are reasons for suspecting that punishment can increase

future recidivism (Nagin, Cullen, and Jonson 2009; Tobón 2020). Some empirical studies have shown that punishment conditions, particularly during incarceration, can increase the likelihood of reoffending rather than reducing it (Tobón 2020). Thus, crime prevention policies might offer a better alternative to discourage crime (Durlauf and Nagin 2011).

The general deterrence mechanism uses the threat of punishment to discourage criminal behavior (Becker 1968). This mechanism uses three components of punishment to dissuade crime: (i) certainty, (ii) severity, and (iii) celerity or immediacy of punishment. The certainty of punishment refers to the probability of legal sanction after committing a crime. The severity of punishment refers to the onerousness of the consequences of committing a crime, given the legal sanction imposed. The celerity of punishment refers to the time lapse between the offense and its punishment.

The first group of anti-gang laws seeks to affect the severity of punishment by criminalizing gang-related behavior, creating new costs for activities that were not previously penalized, and increasing the penalty for previously criminalized activities. Although theoretically increasing the severity of punishment deters crime, empirical research in this area has concluded that changes in the certainty of punishment have the strongest deterrent effect (Apel and Nagin 2011; Durlauf and Nagin 2010, 2011). Scholars exploring this deterrent effect associate it with four conditional probabilities: (i) apprehension given a crime commission (police), (ii) being charged given an apprehension (police & prosecution), (iii) conviction given a criminal charge (prosecution & judge), and (iv) a formal sanction given a sentence (judge & post-sentencing institutions). These probabilities affect the decision to engage in illegal activities differently. For instance, from an economic view, altering the apprehension likelihood affects the offender's

perception of completing the event successfully while modifying the conviction probability after detection, changing the perception of the legal sanction (Nagin, Solow, and Lum 2015).

According to Nagin (2013b), the detention deterrence effect is more effective than the likelihood of facing legal sanctions because offenders respond more to changes in criminal opportunity. Under this view, the failure to complete the event removes the gain from the activity, eliminating the initial incentive to commit a crime in the first place (Nagin 2013a; Wilson and McLaren 1972). While the first group of anti-gang laws does not affect criminal opportunity, the second group, which includes curfew laws, intends to produce changes in this area.

The logic behind changing the opportunity of committing a crime comes from Cohen and Felson's (1979, 2003) theory of routine activities. According to the routine activities theory, for a crime to occur, three elements must converge at a particular time and space: i) a motivated offender with the ability to carry out the offense, ii) a personal or property target, and iii) a lack of capacity for resistance. The curfew laws affect the determinants of high-or-low-risk situations (Cohen and Felson 2003; Felson 1987; Felson and Clarke 1995, 1995, 2004; Groff 2008) by limiting the circulation of offenders and eliminating the personal target from the streets.[6]

Finally, the third group includes criminal intelligence laws involving a gang database reporting system and allowing criminal intelligence organizations to share this information.[7] Including the name of gang members and sharing them through criminal intelligence helps to identify them and increase the probability of apprehension. As mentioned before, the literature on this area has concluded that policies affecting the certainty of punishment are the most effective in

[6] Risky situations also depend on place-based factors (Jaitman and Anauati 2020; Weisburd 2015). For instance, criminologists have identified that houses or businesses next to those recently burglarized have a higher risk of burglary since the offenders perceived low risk of apprehension in the area (Bowers and Johnson 2005; Bowers, Johnson, and Pease 2004, 2005).

[7] In this category, I only included the criminal intelligence reporting laws listed by the National Gang Center.

deterring criminal behavior, yet these laws have received much attention for their adverse effects on producing and reproducing inequality.

2.3 Inequality effects of Criminal Law Expansions

The production of anti-gang legislation is one of the areas where criminal justice has widely expanded in the last decades. Despite the growing use of anti-gang laws across the country and the perception of these types of legislation as the most effective way to fight gang activity, the enactment of such laws has been widely controversial among socio-legal scholars. Social researchers criticizing these laws have compared anti-gang laws with postbellum vagrancy ordinances, arguing that these laws give police and judicial actors broad discretion under a discourse of crime prevention. These laws allow majoritarian race groups to exercise domination and social control of minority groups (Stewart 1997).

One of the major critiques of anti-gang legislation comes from legal scholars who argue that the standards of enforcement of these laws provide broad discretion allowing the arbitrary and discriminatory application of the Law (Beth 1998). Under this view, anti-gang laws have been challenged in the past under the vagueness doctrine, claiming that they violate the due process clauses of the Fifth and Fourteenth Amendments. For instance, in *Chicago v. Morales*, the Supreme Court stated that the anti-gang ordinance enacted by the city defined the scope of illegal activity broadly, promoting the prosecution of non-problematic behavior. Under the Chicago Gang Congregation Ordinance, the police made more than 42,000 arrests and issued more than 89,000 dispersal orders in three years (Strosnider 2002).

To overcome the constitutional challenges and critiques presented in the past, new anti-gang legislation has made efforts to include more precise language, like geographically limiting the places where these laws operate. Yet, using criminal justice as the primary tool to fight gang behavior is highly problematic, considering previous research has shown that social control is

concentrated in racial minority groups. This research has documented that between 1974 and 2001, the prevalence of imprisonment increased by nearly 3.8 million, and by 2001 about 1 in 3 black males was expected to go to prison during their lifetime, while 1 in 17 white males was expected to experience a prison sentence (Bonczar 2003). Other findings demonstrate that the penal system fuels inequality by altering the life trajectories of some groups more than others through incarceration (Pettit and Western 2004:10). According to Pettit and Western (2010), the cumulative risk of imprisonment by age 30-34 for black men increased from 10.4% in the 1945-1949 cohort to 26.8% in the 1975-1979 birth cohort. In contrast, it rose from 1.4% to 5.4% for white men over the same cohorts. These findings show an even more disproportionate expansion of the penal system by looking at people without high school education. For example, in the case of males without high school education, the cumulative risk of imprisonment went from 14.7% to 68% for black men and 3.8% to 28% for white men between those two cohorts (Pettit and Western 2010).

The production and reproduction of racial and social inequality through the criminal justice system is even more problematic in the context of anti-gang legislation since gang activity tends to be concentrated in areas where historically disadvantaged groups live (Hagedorn and Macon 1988; Huff 1989; Jackson and Rudman 1993; Papachristos, Hureau, and Braga 2013; Sampson 2012). Thus, anti-gang legislation expands the social control on communities already exposed to over-policing and over-incarceration under the promise of a decrease in the crime rate that still needs to be proven rather than assumed.

In addition to potentially expanding the carceral state by creating new offenses, promoting longer sentences, and increasing the severity of previous offenses, the anti-gang laws carry the potential to produce new stigmas around these already marginalized and discriminated

populations. Enacting criminal intelligence laws associated with gang activity opens the door to recording gang affiliation in intelligence databases constructed by police agencies, which are often ambiguous and contain incorrect information (B, Jacobs 2009; Petering 2015). The use of gang databases for criminal intelligence has raised civil liberties concerns due to the ambiguity of what it means to be a gangster.

In the past, literature documenting the effect of other stigmas associated with the criminal justice system has suggested that these affect employment opportunities (Pager 2003; Western and Sirois 2017), depress wages (Western 2002, 2006; Western and Sirois 2017), negatively impact health (Schnittker and John 2007; Wildeman 2016; Wildeman and Muller 2012), and channel individuals into more disadvantaged neighborhoods (Massoglia, Firebaugh, and Warner 2013; Morenoff, Sampson, and Raudenbush 2001; Sampson and Groves 1989; Sampson and Loeffler 2010; Simes 2016; Warner and Pierce 1993). Therefore, the effects of these anti-gang criminal intelligence laws can reproduce racial and social inequality that other areas of the criminal justice system produce.

3. Data & Method

3.1 Data

To estimate the effect of anti-gang laws this paper uses five data sources. First, the crime data comes from the Federal Bureau of Investigation (FBI). The FBI data comes from the Summary Reporting System (SRS), and the National Incident-Based Reporting System (NIBRS) reports voluntarily submitted by the states to this entity. The crime data contains information on aggregated violent crime, homicide, rape, robbery, aggravated assault, aggregated property crime, burglary, larceny, motor vehicle theft, and arson. From these crimes, I use those classified by the National Gang Center (NGC) as gang related crimes: (i)homicides, (ii) aggravated assault, (iii)

robberies, (iv) burglaries, (v) motor vehicle theft, and (vi) larceny. Additionally, I include aggregated measures for property crime and violent crime.

The crime data includes yearly information from 1985 to 2016 for each state and the District of Columbia. Finally, the FBI data provides yearly population estimates for each state. I used these estimates to calculate the rate per 100,000 inhabitants for the offenses listed and to control for the population size in the empirical models.

Second, the incarceration data comes from the U.S. Bureau of Justice National Prisoner Statistics Program (BJPS). The BJSPS contains information about the number of admissions of sentenced prisoners to state or federal prison, the number of released prisoners from state or federal prison, and the imprisonment rate of sentenced prisoners under the jurisdiction of state or federal correctional authorities per 100,000 U.S. residents. The incarceration data is available from 1978 to 2019. In this paper, I use the data between 1985 to 2016 to match the crime data period.

Third, the arrest data is from the FBI's Uniform Crime Reporting (UCR) program at the county level. To construct the panel dataset, I aggregate the county-level data at the state level between 1985 to 2016. The fourth data source is the U.S. Bureau of Labor Statistics (BLS). The BLS data contains average annual unemployment rates by state from 1980 to 2018. This paper includes unemployment data to control for potential changes in employment rates that could affect crime outcomes (Cantor and Land 1985; Raphael and Winter-Ebmer 2001).

Finally, the treatment data comes from the annotated criminal codes of the 50 states and the District of Columbia. For this project, I reviewed the gang-related legislation listed by the NGC under the categories of (i) gang participation, (ii) gang recruitment, (iii) gang intimidation, (iv) gang criminal intelligence information and systems (including gang databases) and (v) gang curfew laws. I used Nexis Uni to review annotated codes. Additionally, this paper uses Strosnider's

(2002) definition of a Comprehensive Anti-Gang Act (CAGA): an entire act containing different criminal dispositions targeting gang crime (e.g., California Step Act).

For this analysis, gang participation laws only include those dispositions that criminalize gang membership. Thus, it excludes those dispositions that consider gang membership an aggravating circumstance when a criminal offense occurs. Regarding gang recruitment and intimidation, I coded those statutes that criminalize voluntary gang recruitment as gang recruitment laws and those criminalizing coerced gang recruitment as intimidation laws. Lastly, the gang criminal intelligence laws followed the classification done by the NGC, separating other reporting systems from legislation enacted targeting specifically gang-related activity.[8]

3.2 Method

In this paper, I exploit the staggered implementation of anti-gang laws across the country, using this temporal variation to create treated and not-yet-treated comparison groups. I create treated and not-yet-treated groups for each year of my sample (1985-2016). I define the treatment as the enactment of one of the six types of anti-gang laws previously discussed: (i) gang participation, (ii) gang recruitment, (iii) gang intimidation, (iv) gang criminal intelligence information and systems (including gang databases) and (v) gang curfew laws. Thus, for a given year, I assign all states that have enacted one of these six types of laws to the treated group. And I assign to the not-yet-treated group those states that for that given year have not yet enacted one of these anti-gang laws.

Under a staggered TWFE design, there are treated and untreated units, where the untreated units work as the control group to test whether a particular policy affects the treated group. In this case, the states with anti-gang laws are the treated units, and those without anti-gang laws are the

[8] This means that having a gang database is not sufficient to be included in the sample. To be selected under this category, the state must have a criminal intelligence law to share reporting information related to gang activity.

control group. Since the states enacted anti-gang laws in different years, the control and treatment groups vary each year. Thus, the TWFE model has variation in treatment timing (Athey and Imbens 2022; Callaway and Sant'Anna 2021; Goodman-Bacon 2021; Wing, Simon, and Bello-Gomez 2018). Equation (1) represents the TWFE model estimated:

$$ln\ (Y_{i,t}^{s}) = \beta_0 + \beta_1 AntiGangLaw_{i,t} + \beta_2 X_{i,t} + \delta_i + \mu_t + \varepsilon_{i,t} \quad (1)$$

where $Y_{i,t}^{s}$ represents the *s* outcome for each state *i* and year *t*. The crime outcomes are expressed as rates per 100,000 inhabitants. These are: (i) violent crime, (ii) homicide, (iii) rape, (iv) robbery, (v) aggravated assault, (vi) property crime, (vii) burglary, (viii) larceny, and (ix) motor vehicle theft. The police employment outcomes are expressed as rates per 1,000 inhabitants, and these are: (i) civilian police and (ii) police officers. The imprisonment rate and arrest rates are calculated per 100,000 inhabitants. Finally, admission and release rates represent the number of people admitted or released from prison. Since the outcome variables are measured in natural logarithmic terms, the coefficients should be interpreted as the average percent change in outcome rates after the Anti-Gang Law.

The variable of interest in this analysis is $AntiGangLaw_{i,t}$, which is a binary variable that takes the value of 1 when one of these six types of anti-gangs laws have been enacted in a particular state in a given year, and 0 otherwise. Since the purpose of this paper is to evaluate the effect of each law separately, I create a binary variable for each one of the anti-gang laws studied.

Vector $X_{i,t}$ contains the unemployment rate for state *i* and year *t* and the total population for state *i* and year *t*. Additionally, I included time-fixed effects (μ_t) to control for national trends and cyclicality in crime rates. Likewise, the model includes state fixed-effects (δ_i) to control for non-observable and time-invariant state characteristics and for differences in the propensity to

report data to the FBI. Lastly, the term $\varepsilon_{i,t}$ represents the error term, which I clustered at the state level.

The TWFE involves some assumptions to produce unbiased estimates. The first assumption requires having parallel trends, which means that the difference between the treatment and control group would have been constant in the absence of treatment. The second assumption entails the exogeneity of the treatment, which means that the outcome variables should not predict the year when the anti-gang laws were passed. While these assumptions are not strictly testable, if trends are similar in the pre-treatment period, this lends confidence that these assumptions are reasonable. To provide evidence supporting this scenario, I estimated a granger causality test. Equation (2) represents this unconditional leads-and-lags model:

$$ln\ (Y_{i,t}^{s}) = \gamma_0 + \sum_{m=-2}^{m} \gamma_m D_{i,t+m} + \sum_{p=0}^{p} \gamma_p D_{i,t+p} + \varepsilon_{i,t} \qquad (2)$$

where $Y_{i,t}^{s}$ represents the same outcomes mentioned previously. The term $\sum_{m=-2}^{m} \gamma_m D_{i,t+m}$ denotes the sequence of lagged treatment variables *(m=-2, ..., -6 years).* These lags capture the potential differences in the evolution of the outcome variables during the pre-treatment period between treatment and control states. I exclude the year before the enactment of Anti-Gang laws to have it as the baseline year to which all the results should be interpreted. On the other hand, $\sum_{p=0}^{p} \gamma_p D_{i,t+p}$ denotes the present and future treatment sequence *(p=0, ...,6 years),* capturing the dynamic Anti-Gang law effects in the outcome variables over the 6-years after the laws were implemented.

Using Equation (2), I estimated the differences in outcome variables between the control and treatment groups using the parameter γ_m. If there are no statistically significant differences the parameter γ_m should be statistically zero for $m < -1$. The results of these tests suggest that

the enactment of the anti-gang laws used in this study followed an implementation as good-as-if-random. These findings are presented in the methodological appendix in figures A1 to A12.

Due to the staggered nature of the anti-gang laws implementation, recent literature suggests that the TWFE estimates could be biased (Borusyak, Jaravel, and Spiess 2021; Callaway and Sant'Anna 2021; Goodman-Bacon 2021). The staggered TWFE estimates are variance-weighted averages of multiple comparisons between a treated and control group in a window before and after the treated group receives treatment (Baker, Larcker, and Wang 2022). These regressions are problematic when treatment effects change over time because the TWFE estimates can obtain the opposite sign of the true average treatment effect on the treated (ATT) (Baker et al. 2022).

To address the potential problems of the staggered TWFE, I also estimated Equation (1) using the methodology proposed by Callaway and Saint'Anna (2021), which provides a weighted estimation of the ATT. Callaway and Saint'Anna's (2021) estimator calculates cohort-time-specific treatment effects that overcome the problems associated with changes over time in treatment effects. Additionally, this methodology implements an improved doubly robust TWFE estimator based on inverse probability weighting and weighted least squares (Sant'Anna and Zhao 2020).

I estimated the models using two sets of control groups to evaluate the robustness of the results. First, the models use as the control group the states never treated. Second, the models use the states not yet treated as a control group. These estimations incorporate the heterogenous treatment effects literature on the staggered TWFE method (Callaway and Sant'Anna 2021; de Chaisemartin and D'Haultfoeuille 2022; De Chaisemartin and d'Haultfoeuille 2020; Sun and Abraham 2021). Additionally, since the number of groups and periods is relatively large, it is challenging to interpret many group-time average treatment effects that other models proposed

(Callaway and Sant'Anna 2021). However, the Callaway and Sant' Anna estimator facilitates the interpretation of the results by producing a unique average treatment effect.

4. Results

4.1 Evaluation of the Deterrence Theory Logic

4.1.1 Comprehensive Anti-Gang Acts

Between 1985 and 2016, thirteen states passed Comprehensive Anti-Gang Acts (CAGAs), including California, Florida, Illinois, and New York. The effects of these acts on crime rates vary and are not robust to changes in the specification. Comparing the results from the three specifications, the traditional TWFE suggests that the CAGAs did not affect robberies, property crimes, burglaries, larceny, or motor vehicle thefts. In contrast, the Callaway and Sant'Anna estimator using the states not yet treated as a control group suggests that the CAGAs reduced robberies by 17% and vehicle thefts by 5%. Yet, these findings provide mixed results suggesting that CAGAs also increased property crime by 0.3% through an increase in burglaries (1%) and larceny (0.7%).

Finally, the focus on gang activity could be affecting policing activity by centering their attention on gang-related crimes. This signals to offenders that the current focus is on gang criminal activity and no other criminal behavior, causing an increase in property crimes like larceny and burglary. The results of the CAGAs on arrest and incarceration rates suggest that these comprehensive acts did not affect any of these measures.

Table 1. Estimates of the Effect of CAGAs on Crime, Arrest, and Incarceration rates.

Outcome	41 (1)		Callaway and Sant'Anna Never Treated (2)		Callaway and Sant'Anna Not Yet Treated (3)	
	Coefficient	Std. Error	Coefficient	Std. Error	Coefficient	Std. Error
Violent Crime Rate	-0.047	0.097	-0.042	0.038	-0.102	0.095
Homicides Rate	-0.005	0.043	0.061	0.090	-0.035	0.048
Robbery Rate	-0.093	0.062	-0.063	0.045	-0.195*	0.059
Aggravated Assault Rate	-0.047	0.116	-0.031	0.056	-0.087	0.121
Property Crime Rate	0.004	0.046	-0.005	0.029	0.003**	0.034
Burglary Rate	0.007	0.056	-0.019	0.043	0.011**	0.041
Larceny Rate	0.009	0.049	-0.008	0.036	0.007**	0.038
Motor Vehicle Theft Rate	-0.048	0.073	0.043	0.072	-0.053**	0.042
Arrest Rate	0.165*	0.094	-0.101	0.121	0.076	0.123
Arrest Male Rate	0.156	0.094	-0.020	0.085	0.083	0.122
Arrest Female Rate	0.135	0.095	0.009	0.101	0.054	0.133
Arrest White Rate	0.133	0.091	0.013	0.087	0.042	0.127
Arrest Black Rate	0.089	0.156	-0.176	0.206	0.003	0.267
Arrest Juvenile White	0.110	0.118	0.216**	0.088	0.137	0.100
Arrest Juvenile Black	0.175	0.199	-0.058	0.194	0.018	0.252
Incarceration Rate	0.028	0.058	0.066	0.044	-0.063	0.047
Admission Rate	0.024	0.091	0.074	0.119	-0.074	0.112
Release Rate	0.022	0.093	0.022	0.145	-0.062	0.124
Year FE	YES	YES	YES	YES	YES	YES
State FE	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES

Robust clustered standard errors were reported. *** p<0.01, ** p<0.05, * p<0.1. Controls include the unemployment rate and state population.

4.1.2 Intimidation Laws

Approximately 35% of the U.S. states have laws criminalizing gang intimidation or coerced gang recruitment. The deterrence logic behind these laws suggests that creating a new offense related to gang intimidation increases the cost of engaging in this activity while maintaining the benefits constant, causing a decrease in crimes associated with this offense. Yet, the empirical evidence presented in Table 2 shows that these laws do not affect crime rates. These findings are consistent across the three specifications.

In contrast to the crime null effects, these laws affect arrest rates and incarceration. The results of the TWFE model and the estimates from the Callaway and Sant'Anna specification using as a control group the not yet treated states indicate that the male arrest rate increased by 18%, and the female arrest rate increased by 21%. The three models support the finding that intimidation laws increase admission to prison by 19%. Finally, the model using the not yet treated states as a control group suggests these laws increase the release rate from prison by 16%.

These results suggest that the enactment of anti-gang intimidation laws increased social control without providing a benefit to public safety. These findings are important to understand the effects of these laws on the ways the criminal justice system produces and reproduces inequality since previous work has found that social control is not evenly distributed across the entire population. As previous literature has pointed out, racial minority groups are more likely to have contacts with law enforcement agents that affect life course trajectories.

Table 2. Estimates of the Effect of Anti-Gang Intimidation Laws on Crime, Arrest, and Incarceration rates

Outcome	TWFE		Callaway and Sant'Anna Never Treated		Callaway and Sant'Anna Not Yet Treated	
	Coefficient	Std. Error	Coefficient	Std. Error	Coefficient	Std. Error
Violent Crime Rate	0.003	0.077	-0.057	0.073	-0.055	0.072
Homicides Rate	0.012	0.064	0.023	0.077	0.021	0.074
Robbery Rate	-0.029	0.054	-0.061	0.066	-0.059	0.065
Aggravated Assault Rate	0.007	0.092	-0.065	0.089	-0.065	0.089
Property Crime Rate	-0.006	0.032	-0.025	0.032	-0.028	0.032
Burglary Rate	-0.036	0.048	-0.008	0.037	-0.006	0.037
Larceny Rate	-0.016	0.035	-0.032	0.038	-0.034	0.039
Motor Vehicle Theft Rate	0.140	0.085	0.002	0.067	-0.009	0.065
Arrest Rate	0.145	0.114	0.125	0.109	0.102	0.102
Arrest Male Rate	0.199*	0.109	0.1933	0.111	0.166*	0.102
Arrest Female Rate	0.247**	0.119	0.222*	0.123	0.192*	0.113
Arrest White Rate	0.223**	0.106	0.197	0.123	0.165	0.111
Arrest Black Rate	0.267	0.180	0.209	0.157	0.178	0.152
Arrest Juvenile White	0.148	0.121	0.113	0.105	0.082	0.093
Arrest Juvenile Black	0.260	0.183	0.165	0.126	0.134	0.121
Incarceration Rate	-0.028	0.049	-0.015	0.028	-0.005	0.027
Admission Rate	0.138*	0.077	0.167**	0.074	0.176**	0.073
Release Rate	0.123	0.080	0.147	0.077	0.156**	0.076
Year FE	YES	YES	YES	YES	YES	YES
State FE	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES

Robust clustered standard errors were reported. *** p<0.01, ** p<0.05, * p<0.1. Controls include the unemployment rate and state population.

4.1.3 Participation Laws

As mentioned, states usually enact two types of legislation regarding gang participation laws. On the one hand, some states include laws that associate gang membership with aggravating circumstances. In other words, gang membership increases the severity of culpability of a concrete criminal act committed. Yet, these types of laws do not criminalize gang membership per se but use them to deter gang associations from committing crimes. On the other hand, some states like

California (1988), Texas (1993), and Virginia (2000), among others, criminalize gang membership in itself. The purpose of this legislation is to deter gang membership, whether it involves criminal offenses or not. In this paper, I focus on the second type of legislation, meaning I only coded those statutes that criminalize gang membership as participation anti-gang laws.

The findings presented in Table 3 indicate that participation laws have effects on crime rates and arrest rates. The Callaway and Sant'Anna estimator using as controls the never treated states suggests these laws caused a reduction in aggravated assaults (10%) while increasing property crimes (7%), which is driven mainly by an increase in burglaries (15%) and motor vehicle thefts (15%). Finally, both Callaway and Sant'Anna estimators reveal an increase in total arrest rates (16%), male arrest rate (20%), and female arrest rate (24%).

These findings suggest that the participation laws have the intended effect on violent crimes like assaults but no impact on other violent crimes like homicides. Yet, the evidence here shows that these laws have unintended consequences on property crimes, which could reveal a substitution effect between violent gang crimes and non-gang property crimes. Since these laws target gang participation, individuals previously committing crimes within gangs might start acting separately and committing less violent crimes.

Table 3. Estimates of the Effect of Anti-Gang Participation Laws on Crime, Arrest, and Incarceration rates

Outcome	TWFE		Callaway and Sant'Anna Never Treated		Callaway and Sant'Anna Not Yet Treated	
	Coefficient	Std. Error	Coefficient	Std. Error	Coefficient	Std. Error
Violent Crime Rate	-0.044	0.056	-0.031	0.062	-0.032	0.062
Homicides Rate	0.061	0.078	0.122	0.102	0.123	0.102
Robbery Rate	0.041	0.065	0.105	0.083	0.103	0.083
Aggravated Assault Rate	-0.071	0.071	-0.115**	0.056	-0.117	0.056
Property Crime Rate	0.055	0.039	0.074*	0.045	0.073	0.045
Burglary Rate	0.079	0.056	0.140**	0.060	0.138	0.060
Larceny Rate	0.051	0.039	0.036	0.050	0.035	0.050
Motor Vehicle Theft Rate	0.009	0.079	0.149*	0.085	0.147*	0.084
Arrest Rate	-0.090	0.169	0.142	0.091	0.152*	0.092
Arrest Male Rate	-0.089	0.153	0.181**	0.089	0.190**	0.090
Arrest Female Rate	-0.203	0.256	0.217**	0.107	0.223**	0.106
Arrest White Rate	-0.139	0.197	0.129	0.106	0.132	0.106
Arrest Black Rate	-0.196	0.269	0.340	0.237	0.348	0.236
Arrest Juvenile White	-0.219	0.202	0.135	0.121	0.140	0.119
Arrest Juvenile Black	-0.217	0.300	0.300	0.278	0.314	0.280
Incarceration Rate	0.010	0.068	0.078	0.083	0.080	0.082
Admission Rate	-0.036	0.078	0.080	0.116	0.081	0.116
Release Rate	-0.022	0.083	0.087	0.111	0.088	0.111
Year FE	YES	YES	YES	YES	YES	YES
State FE	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES

Robust clustered standard errors were reported. *** p<0.01, ** p<0.05, * p<0.1. Controls include the unemployment rate and state population.

Finally, the arrest rate effects confirm the results found previously that anti-gang legislation expands the social control net, which has the potential to continue the production and reproduction of social inequality, as previous literature has highlighted.

4.1.4 Recruitment Laws

Approximately 35% of the U.S. states criminalize voluntary gang recruitment. The purpose of these laws is to deter actions inducing individuals to join gangs. However, despite the existence of these laws in one-third of the U.S. states, no effect is observed. This means that while logically deterring gang recruitment will decrease gang growth and therefore reduce gang-related crime, the evidence does not support that this is occurring. In contrast, the empirical evidence presented in Table 4 reveals that these policies do not affect violent or property crime rates. Moreover, these laws do not affect arrest, or incarceration rates.

Table 4. Estimates of the Effect of Anti-Gang Recruitment Laws on Crime, Arrest, and Incarceration rates

Outcome	TWFE		Callaway and Sant'Anna Never Treated		Callaway and Sant'Anna Not Yet Treated	
	Coefficient	Std. Error	Coefficient	Std. Error	Coefficient	Std. Error
Violent Crime Rate	-0.034	0.055	-0.009	0.056	-0.003	0.053
Homicides Rate	0.007	0.059	0.136	0.147	0.148	0.147
Robbery Rate	-0.034	0.051	-0.041	0.040	-0.040	0.038
Aggravated Assault Rate	-0.042	0.063	-0.004	0.071	0.002	0.067
Property Crime Rate	-0.018	0.032	0.015	0.027	0.018	0.027
Burglary Rate	-0.007	0.043	0.057	0.043	0.065	0.042
Larceny Rate	-0.018	0.032	0.014	0.027	0.018	0.027
Motor Vehicle Theft Rate	-0.052	0.075	-0.051	0.062	-0.048	0.061
Arrest Rate	-0.027	0.098	-0.034	0.092	-0.036	0.094
Arrest Male Rate	-0.038	0.094	-0.041	0.095	-0.041	0.096
Arrest Female Rate	-0.045	0.110	-0.014	0.100	-0.018	0.098
Arrest White Rate	-0.052	0.105	-0.029	0.096	-0.043	0.093
Arrest Black Rate	-0.146	0.156	-0.205	0.137	-0.194	0.133
Arrest Juvenile White	-0.086	0.103	-0.064	0.084	-0.076	0.079
Arrest Juvenile Black	-0.184	0.156	-0.160	0.146	-0.151	0.144
Incarceration Rate	-0.001	0.049	0.023	0.052	0.028	0.052
Admission Rate	-0.022	0.071	-0.037	0.075	-0.024	0.073
Release Rate	-0.012	0.069	-0.011	0.081	0.001	0.077
Year FE	YES	YES	YES	YES	YES	YES
State FE	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES

Robust clustered standard errors were reported. *** p<0.01, ** p<0.05, * p<0.1. Controls include the unemployment rate and state population.

4.2 Evaluation of the Routine Activities Theory

4.2.1 Curfew Laws

Between 1985 and 2016, thirteen states passed laws that authorized local governments to impose curfews related to anti-gang policies. Other states like Illinois (1968), Michigan (1960), and Montana (1969) enacted this type of legislation before the period of study; therefore, I coded these states as treated for the entire period. Most curfew laws targeted juveniles, indicating an association between gang membership and younger males. Table 5 shows the estimations of Equation (1) for the case of curfew legislation. These results reveal that while these laws do not affect property crimes, they affect violent crime rates. The Callaway and Sant'Anna estimators show that aggravated assault decreased by 18%. These results are consistent with the routine activities theory since the mobility restriction at night reduces the opportunity to engage in conflict or violent criminal behavior. The differential effects observed between violent and property crimes are consistent with previous literature that states that property crimes are more elastic to changes in policing activity. In contrast, changes in violent crime are explained better by social environmental factors (Kelly 2000).

Finally, Table 5 indicates that the recruitment laws have no effects on arrest rates and most incarceration measures. The only significant result observed comes from the TWFE model, suggesting that these laws caused an increase in releases from prison by 20%. These results can be interpreted from two perspectives. First, the inconsistency of these results across the three models might imply a lack of robustness. Thus, they should be regarded with skepticism. Second, these results might suggest that increasing restrictions on civil liberties can lead judges to impose shorter sentences affecting the severity of punishment in the long run.

Table 5. Estimations of the Effect of Anti-Gang Curfew Laws on Crime, Arrest, and Incarceration rates

Outcome	TWFE		Callaway and Sant'Anna Never Treated		Callaway and Sant'Anna Not Yet Treated	
	Coefficient	Std. Error	Coefficient	Std. Error	Coefficient	Std. Error
Violent Crime Rate	-0.039	0.063	-0.138	0.089	-0.149	0.087
Homicides Rate	-0.047	0.060	-0.007	0.081	-0.019	0.079
Robbery Rate	-0.052	0.072	-0.038	0.090	-0.047	0.088
Aggravated Assault Rate	-0.038	0.071	-0.197*	0.101	-0.210**	0.099
Property Crime Rate	-0.036	0.047	-0.036	0.063	-0.043	0.062
Burglary Rate	-0.083	0.067	-0.058	0.095	-0.065	0.093
Larceny Rate	-0.022	0.051	-0.047	0.061	-0.055	0.060
Motor Vehicle Theft Rate	-0.066	0.087	0.034	0.117	0.034	0.117
Arrest Rate	0.005	0.105	-0.055	0.174	-0.056	0.173
Arrest Male Rate	0.033	0.105	0.039	0.181	0.038	0.179
Arrest Female Rate	0.031	0.114	0.071	0.221	0.072	0.220
Arrest White Rate	0.051	0.095	0.057	0.181	0.056	0.180
Arrest Black Rate	-0.099	0.169	-0.030	0.281	-0.025	0.277
Arrest Juvenile White	-0.063	0.096	-0.003	0.191	-0.006	0.191
Arrest Juvenile Black	-0.194	0.172	-0.080	0.229	-0.077	0.225
Incarceration Rate	0.051	0.073	0.010	0.061	0.004	0.062
Admission Rate	0.150	0.105	0.116	0.108	0.110	0.109
Release Rate	0.186*	0.108	0.197	0.176	0.192	0.178
Year FE	YES	YES	YES	YES	YES	YES
State FE	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES

Robust clustered standard errors were reported. *** p<0.01, ** p<0.05, * p<0.1. Controls include the unemployment rate and state population.

4.3 Evaluation of Increase in Certainty

4.3.1 Criminal Intelligence Gang Laws

According to the NGC, approximately 30% of U.S. states have enacted laws that authorize the operation and use of intelligence systems, including gang-related databases. The NAG separates gang-related criminal intelligence from other reporting or sharing information systems related to gang activity. In this paper, I evaluate whether having a criminal intelligence information system targeting gang activity and gang members contributes to reducing crime rates. Table 6 shows that these laws have no effects on crime rates and these results are consistent across the three models.

In contrast, the TWFE indicates that these laws increased total arrest rates (27%), male arrest rates (28%), female arrest rates (34%), arrest of white adults (27%), and arrest of black adults (39%). The Callaway and Sant'Anna estimates suggest that the arrest of white juveniles increased by 25%. These findings indicate that enacting criminal intelligence anti-gang laws have no effects on crime while disproportionately affecting black people since they increase the arrest rate of this group by 10% more than their white peers. As previous literature has shown, even if they never result in formal charges, arrests affect employment (Uggen et al. 2014) and create stigma in the new digital era (Lageson 2020; Lageson and Maruna 2018).

Moreover, the TWFE results show that the anti-gang criminal intelligence laws increased the admission rates to prison by 28% and the release rates from prison by 29%. Although these laws increase prison releases, the rise in imprisonment is problematic, considering that previous research has shown incarceration concentrates its impact on racial minorities. Therefore, these laws negatively affect these populations' life trajectories (Pettit and Gutierrez 2018; Sykes and Maroto 2016; Wakefield and Wildeman 2013).

Table 6. Estimations of the Effect of Anti-Gang Criminal Intelligence Laws on Crime, Arrest, and Incarceration rates

Outcome	TWFE		Callaway and Sant'Anna Never Treated		Callaway and Sant'Anna Not Yet Treated	
	Coefficient	Std. Error	Coefficient	Std. Error	Coefficient	Std. Error
Violent Crime Rate	0.014	0.061	-0.042	0.038	-0.043	0.037
Homicides Rate	0.035	0.061	0.061	0.090	0.055	0.089
Robbery Rate	0.007	0.068	-0.063	0.045	-0.067	0.045
Aggravated Assault Rate	0.034	0.071	-0.031	0.056	-0.031	0.056
Property Crime Rate	0.063	0.041	-0.005	0.029	-0.006	0.029
Burglary Rate	0.057	0.049	-0.019	0.043	-0.019	0.041
Larceny Rate	0.066	0.046	-0.008	0.036	-0.007	0.036
Motor Vehicle Theft Rate	0.043	0.101	0.043	0.072	0.037	0.072
Arrest Rate	0.240**	0.105	-0.101	0.121	-0.090	0.115
Arrest Male Rate	0.250**	0.096	-0.020	0.085	-0.013	0.079
Arrest Female Rate	0.294***	0.105	0.009	0.101	0.016	0.094
Arrest White Rate	0.242**	0.100	0.013	0.087	0.021	0.082
Arrest Black Rate	0.330**	0.152	-0.176	0.206	-0.165	0.193
Arrest Juvenile White	0.184	0.134	0.216**	0.088	0.226***	0.091
Arrest Juvenile Black	0.232	0.182	-0.058	0.194	-0.043	0.184
Incarceration Rate	0.064	0.059	0.066	0.044	0.059	0.043
Admission Rate	0.251**	0.109	0.074	0.119	0.067	0.118
Release Rate	0.258**	0.109	0.022	0.145	0.016	0.138
Year FE	YES	YES	YES	YES	YES	YES
State FE	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES

Robust clustered standard errors were reported. *** p<0.01, ** p<0.05, * p<0.1. Controls include the unemployment rate and state population.

5. Conclusion

The widely spread anti-gang criminal law agendas have been at the center of the political debate and are seen as the primary tool to reduce illegal gang activity effectively. Yet, the effects of these laws remain unexplored. This paper attempts to uncover the impact of these laws on different outcomes identified by the literature and the policymakers as the main variables these laws might affect. The findings of this study suggest that only fifty percent of the types of statutes studied affect crime. However, the effects on crime are inconsistent and mixed. On the one hand, legislation like the comprehensive anti-gang acts contributes to reducing robberies and motor vehicle thefts while increasing other crime rates like burglaries and larceny. At the same time, anti-gang participation laws and curfews reduce the number of aggravated assaults while increasing some property crimes like burglary.

On the other hand, almost seventy percent of these laws increase the arrest rate, the ratio of police officers to civilians, and increase admissions to prison. Although one might argue that this expansion of the carceral and penal state is justified by the reduction in crime, fifty percent of these laws affect social control measures without reducing crime. For instance, the criminal intelligence laws disproportionally affect black people compared to their white peers while producing no statistically significant reduction in any of the nine crime outcomes.

The results of this paper suggest that the harm of these anti-gang laws outweighs the potential benefits these laws might bring to crime. In other words, these types of legislation have the potential to exacerbate social inequality produced by the criminal justice system without offering a significant improvement in people's safety. The findings of this paper contribute to the literature on crime deterrence and criminal justice inequality in two ways. First, it shows that when an increase in the severity of crime occurs, organized crime can substitute between offenses to others that involve a lower sentence, like in the case of comprehensive acts. Second, it shows that

curfews are the most effective form of anti-gang control that produces fewer effects on social control. This suggests that using the routine activities theory as the fundamental logic behind anti-gang legislation might provide better benefits to controlling crime without exacerbating social inequality.

Finally, this paper contributes to the ongoing public debate around the effectiveness of anti-gang legislation in fighting gang-related criminal activity showing that the discretion introduced in these legislations exacerbates racial inequality through the expansion of social control while offering few benefits in terms of crime. Thus, policymakers must think about the social consequences of continue enacting laws that have low efficacy rates and are detrimental to racial and social groups historically marginalized.

6. Appendix

Table 1A. Anti-Gang Laws in the U.S. by State-2022

Comprehensive Acts	Curfew Laws	Participation Laws	Recruitment Laws	Intimidation Laws	Criminal Intelligence
California	Alaska	Arizona	Alaska	Arizona	Arizona
Florida	Arizona	California	Arkansas	Georgia	California
Georgia	California	Delaware	California	Idaho	Florida
Idaho	Colorado	Georgia	Colorado	Illinois	Georgia
Illinois	Idaho	Indiana	Connecticut	Indiana	Illinois
Louisiana	Illinois	Iowa	Delaware	Kansas	Indiana
Maryland	Indiana	Maryland	Florida	Maryland	Minnesota
Mississippi	Michigan	Mississippi	Georgia	Montana	Nevada
Missouri	Montana	Missouri	Idaho	Nebraska	North Carolina
Montana	New Jersey	Ohio	Illinois	Nevada	South Carolina
New York	Oklahoma	Texas	Indiana	North Carolina	Tennessee
Ohio	Oregon	Virginia	Iowa	South Carolina	Texas
Virginia	Pennsylvania		Kansas	Tennessee	Virginia
	Rhode Island		Kentucky	Texas	Washington
	Tennessee		Louisiana	Washington	West Virginia
	Texas		Michigan	Wyoming	
			New Hampshire		
			New Jersey		
			North Carolina		
			North Dakota		
			Oklahoma		
			Pennsylvania		
			South Carolina		
			Virginia		
			Wisconsin		

Figure 1A. Event Study Test CAGAs on Crime Outcomes

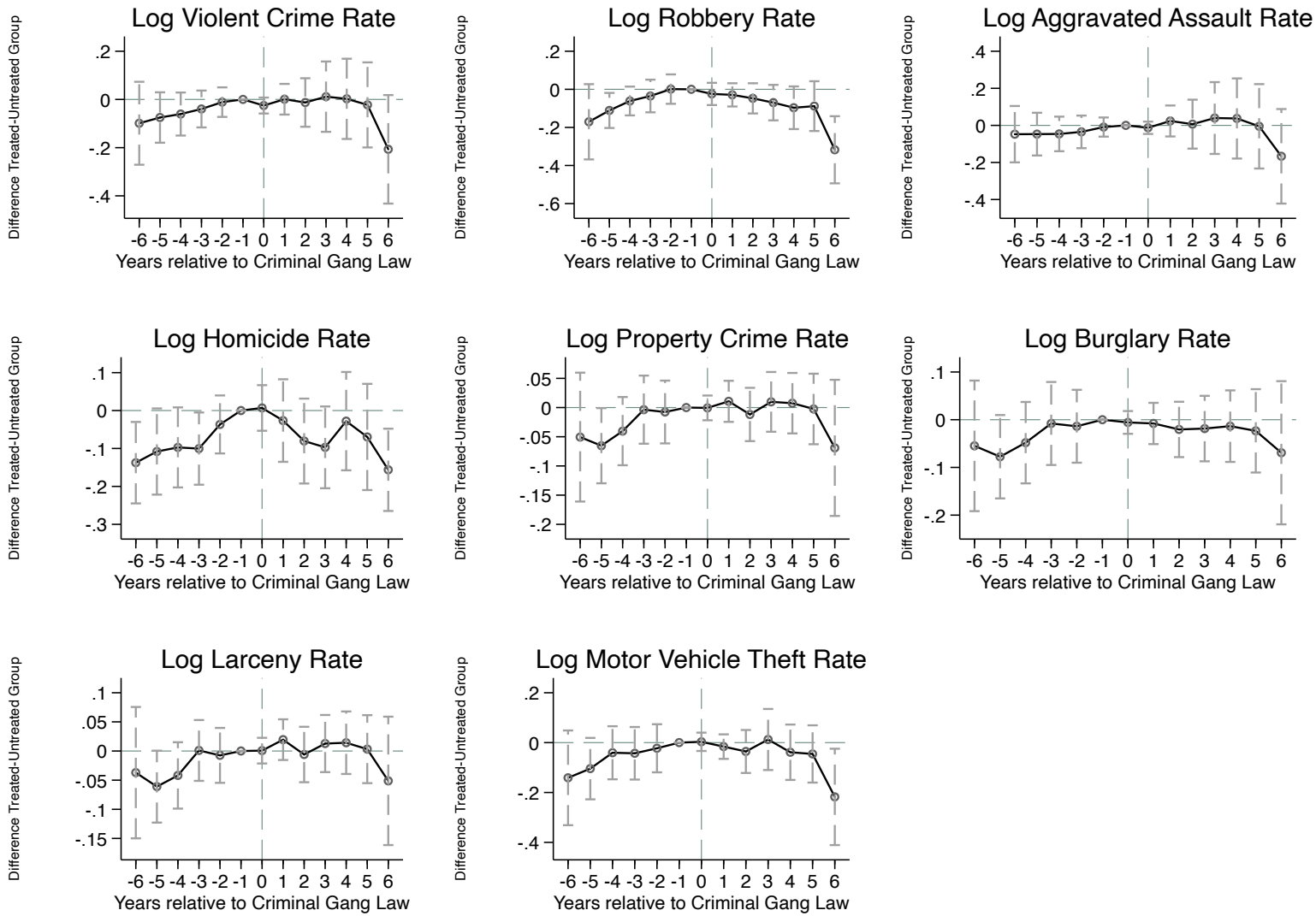


Figure 2A. Event Study Test CAGAs on Arrest & Incarceration Outcomes

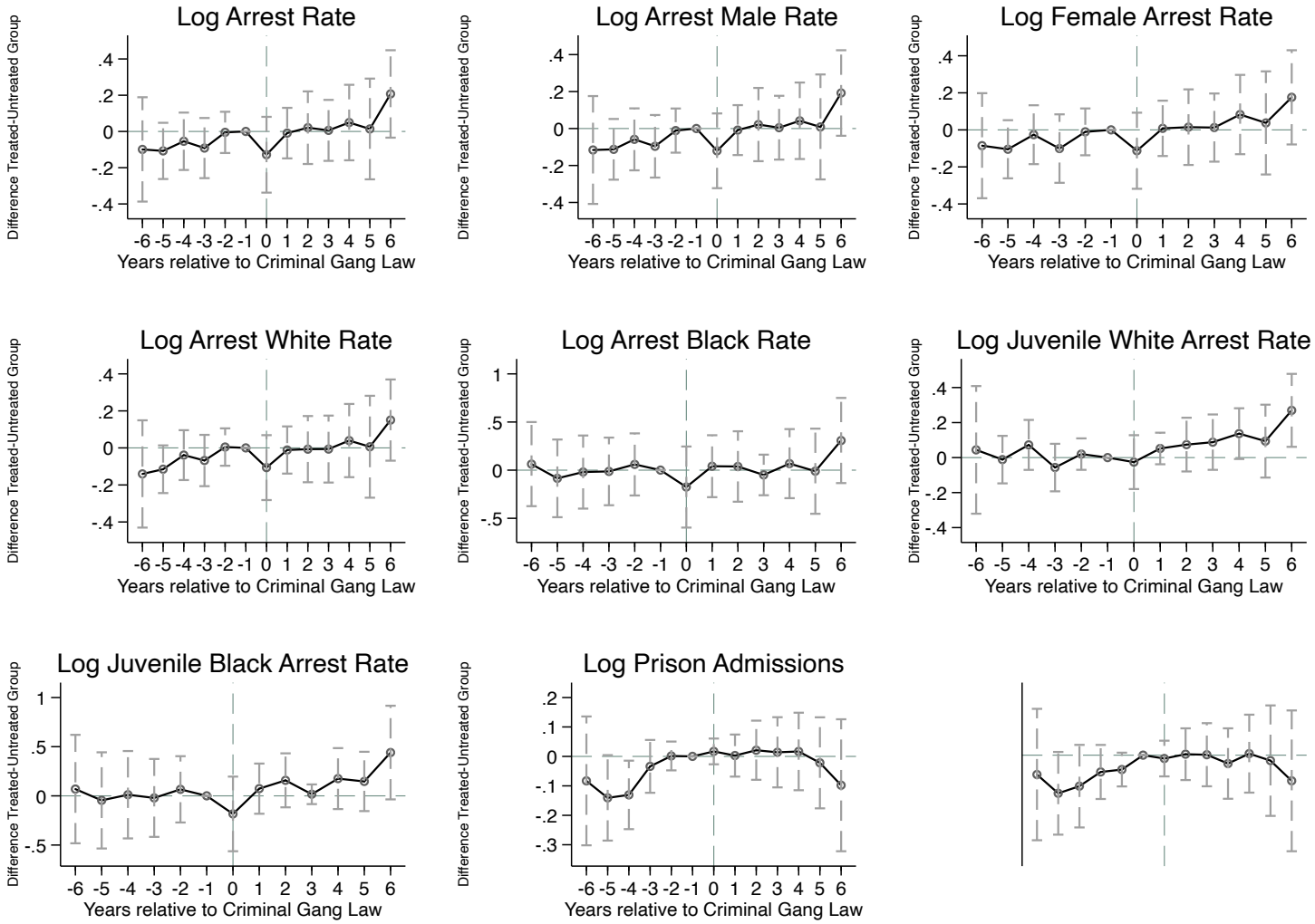


Figure 3A. Event Study Test Curfew Laws on Crime Outcomes

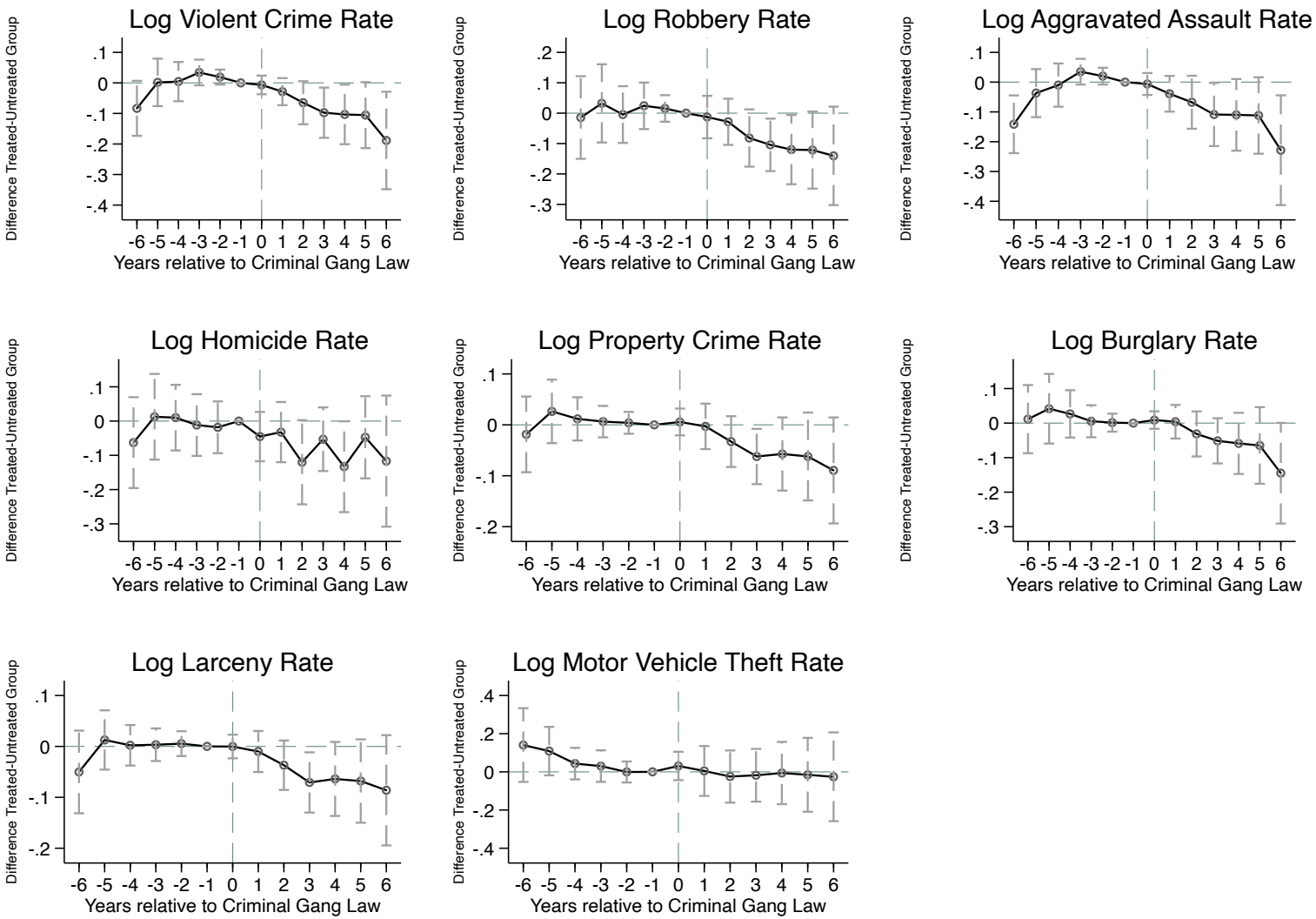


Figure 4A. Event Study Test Curfew Laws on Arrest & Incarceration Outcomes

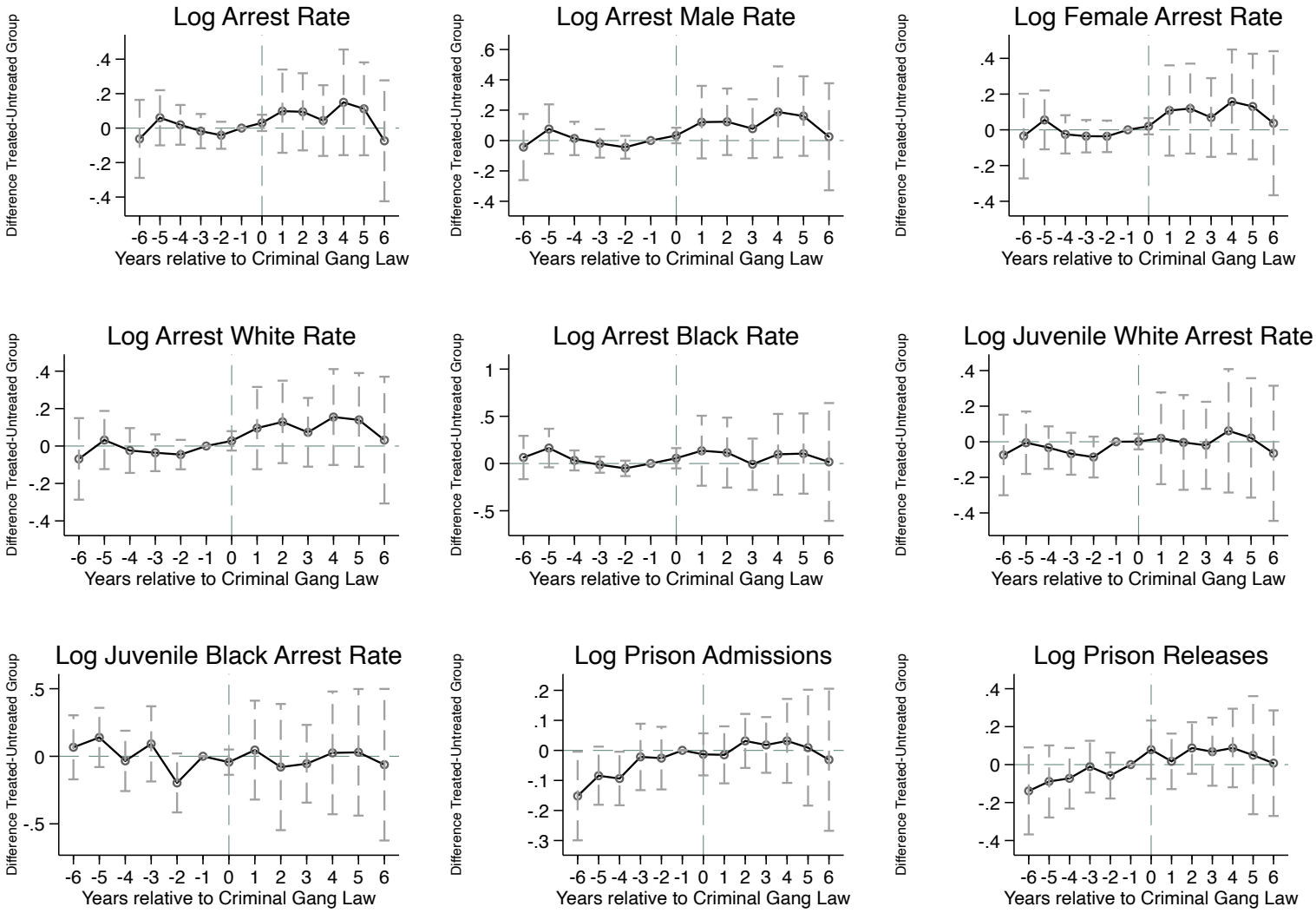


Figure 5A. Event Study Test Intimidation Laws on Crime Outcomes

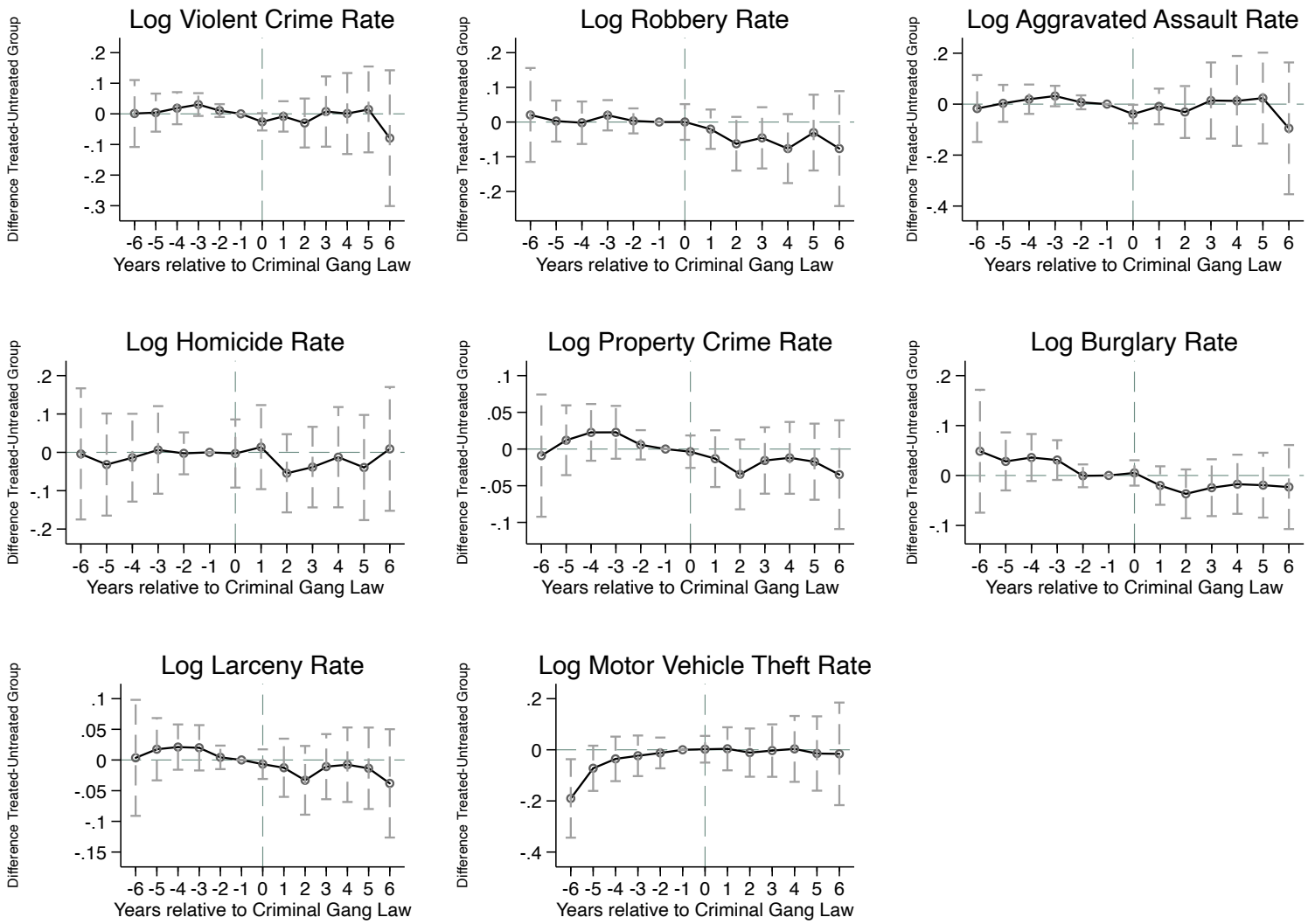


Figure 6A. Event Study Test Intimidation Laws on Arrest & Incarceration Outcomes

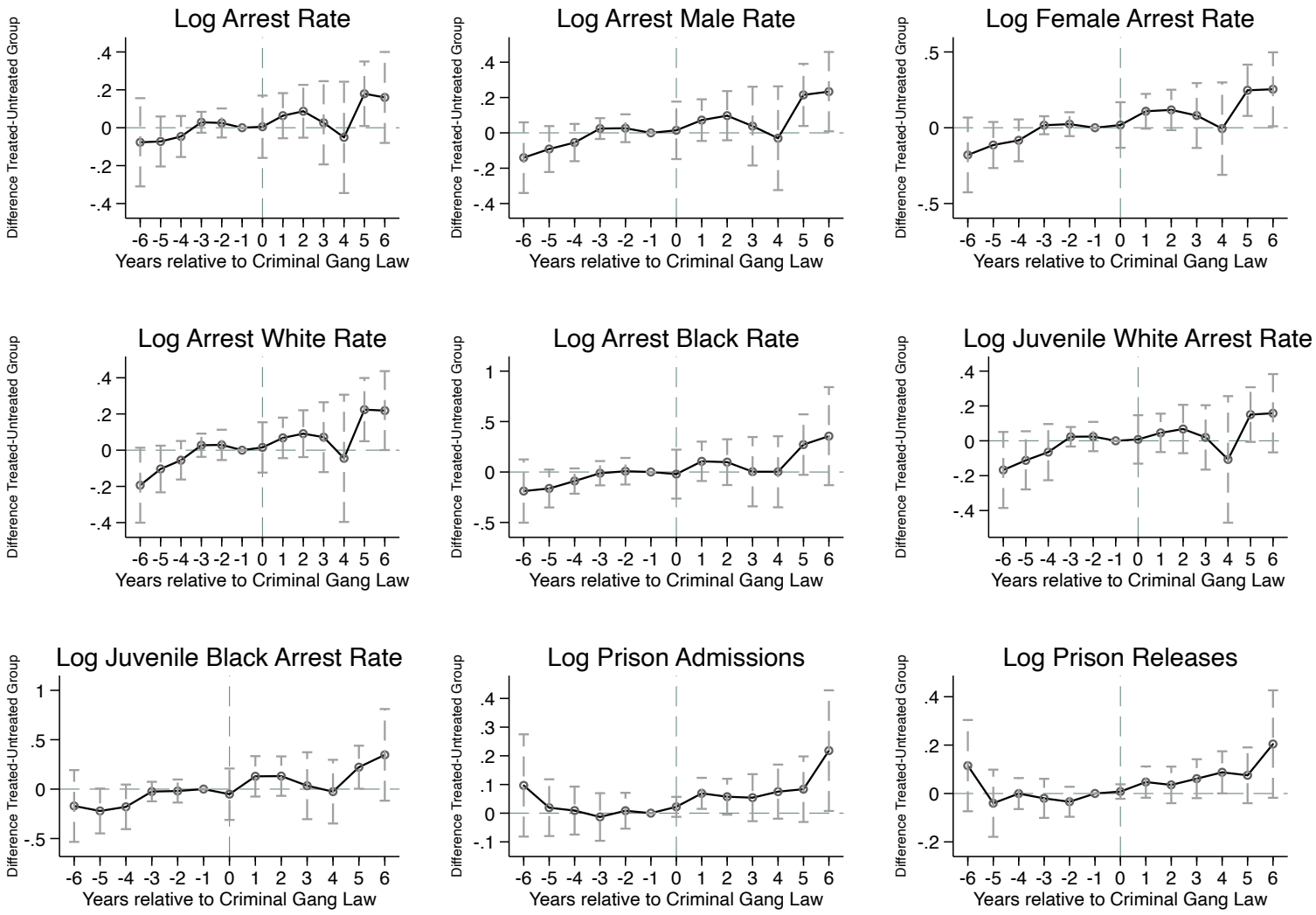


Figure 7A. Event Study Test Participation Laws on Crime Outcomes

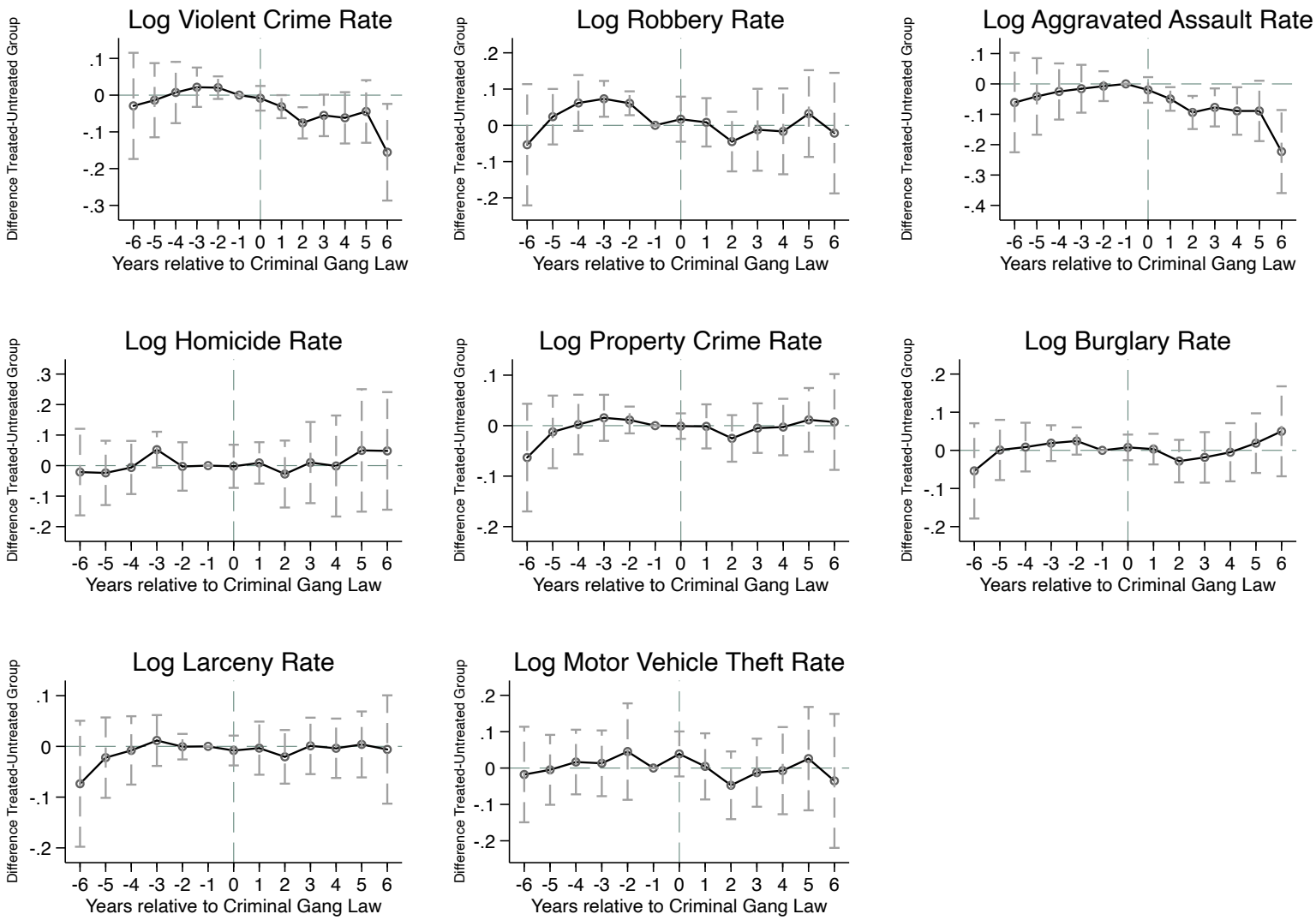


Figure 8A. Event Study Test Participation Laws on Arrest & Incarceration Outcomes

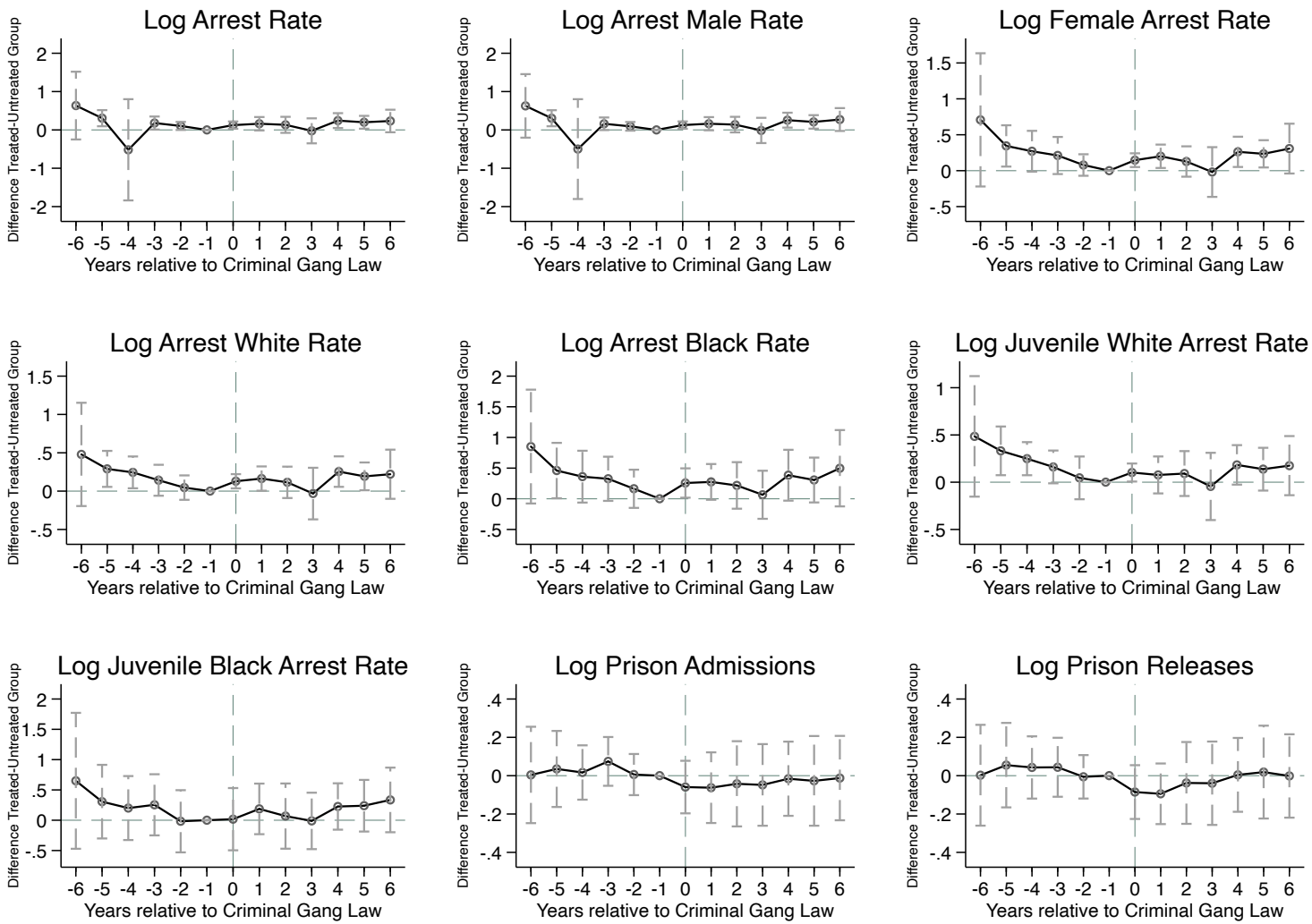


Figure 9A. Event Study Test Recruitment Laws on Crime Outcomes

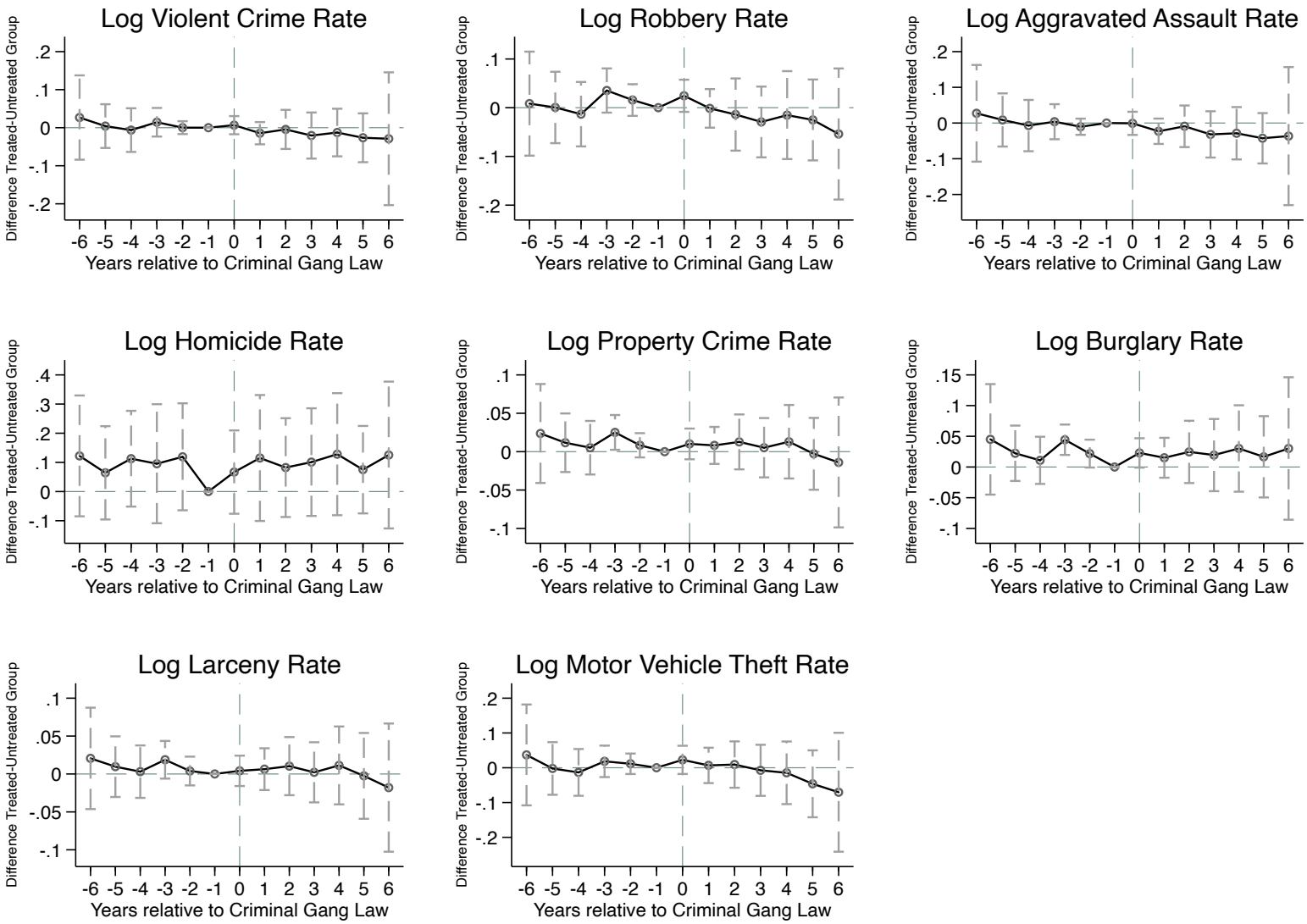


Figure 10A. Event Study Test Recruitment Laws on Arrest & Incarceration Outcomes

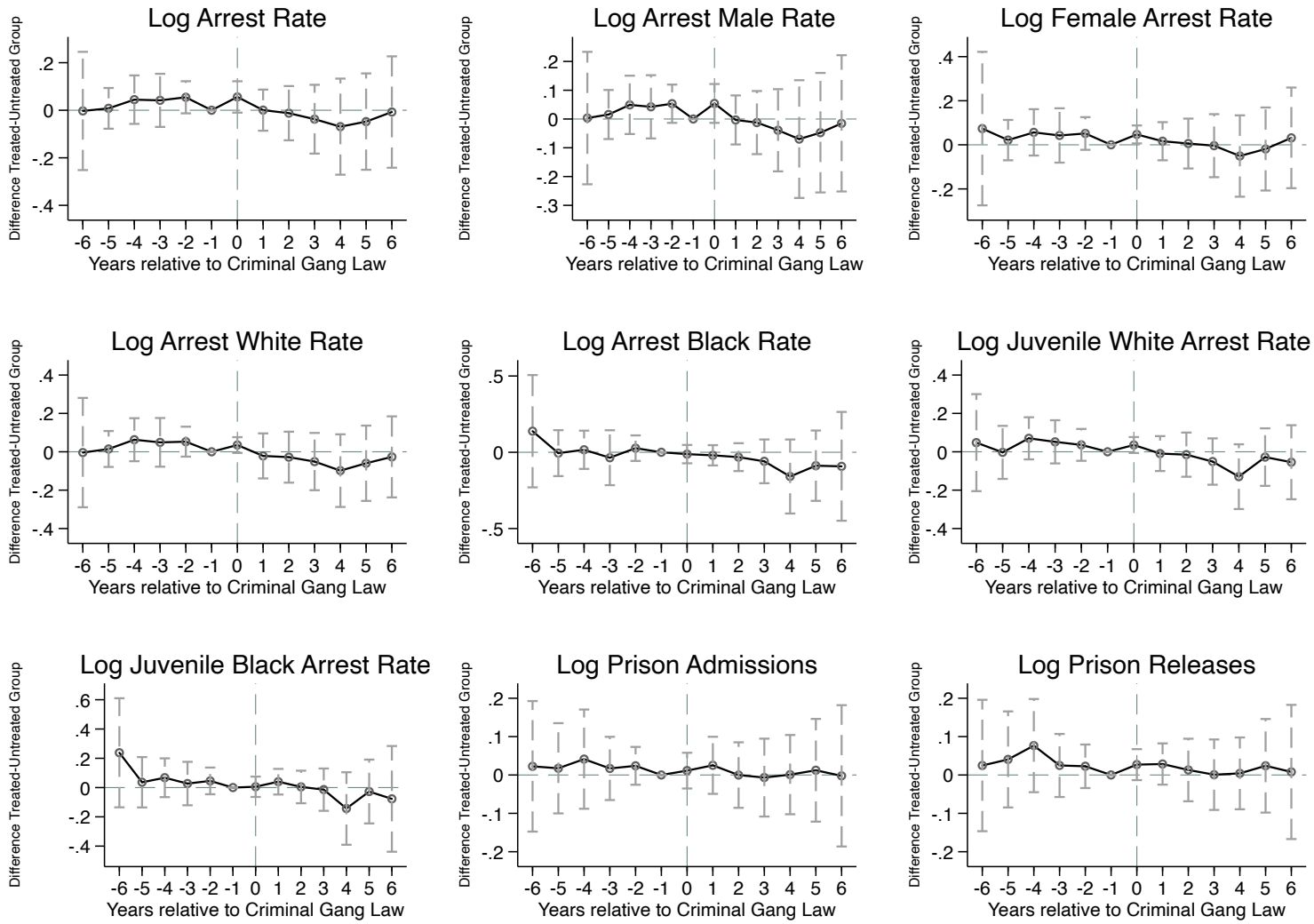


Figure 11A. Event Study Test Criminal Intelligence Laws on Crime Outcomes

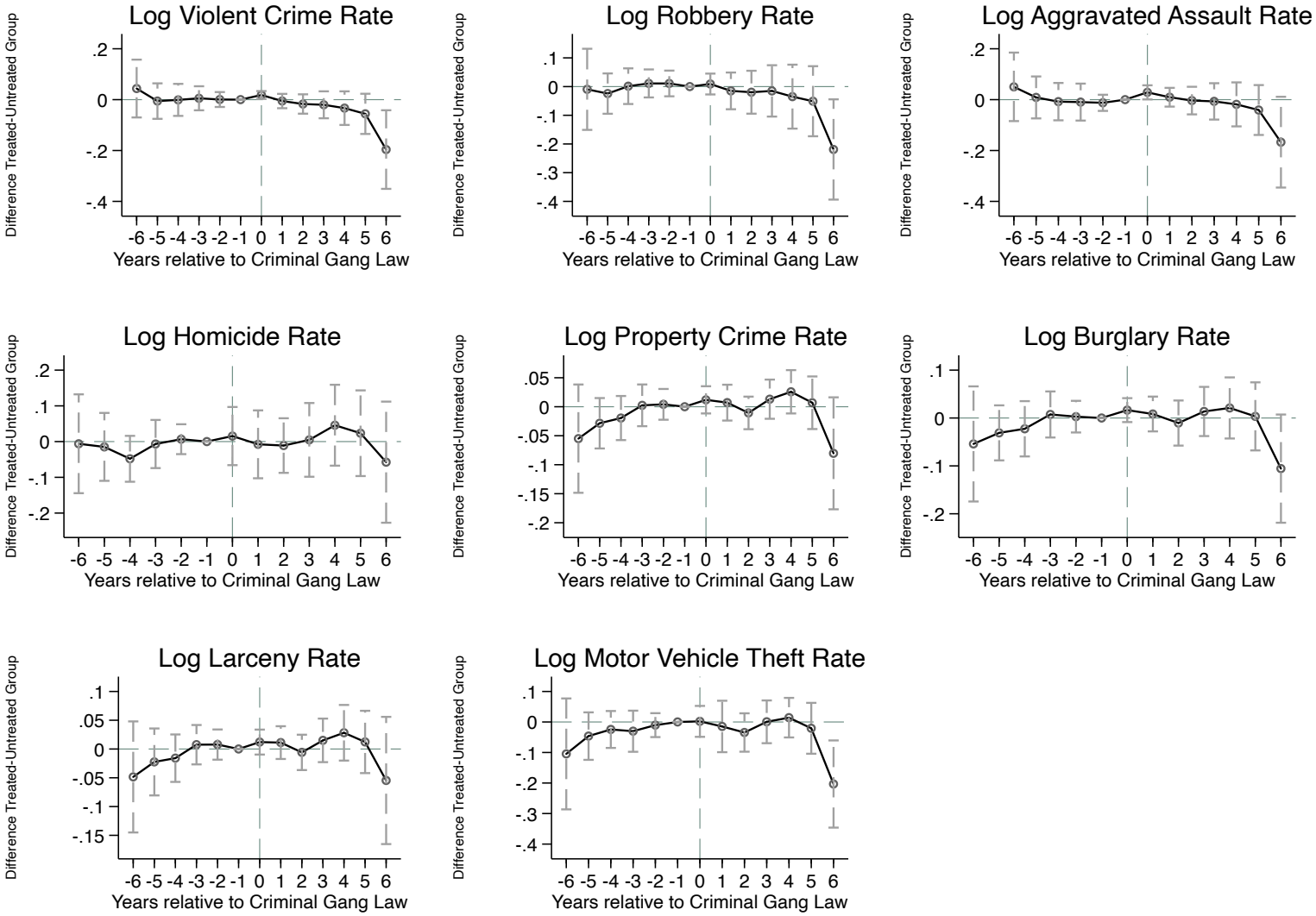
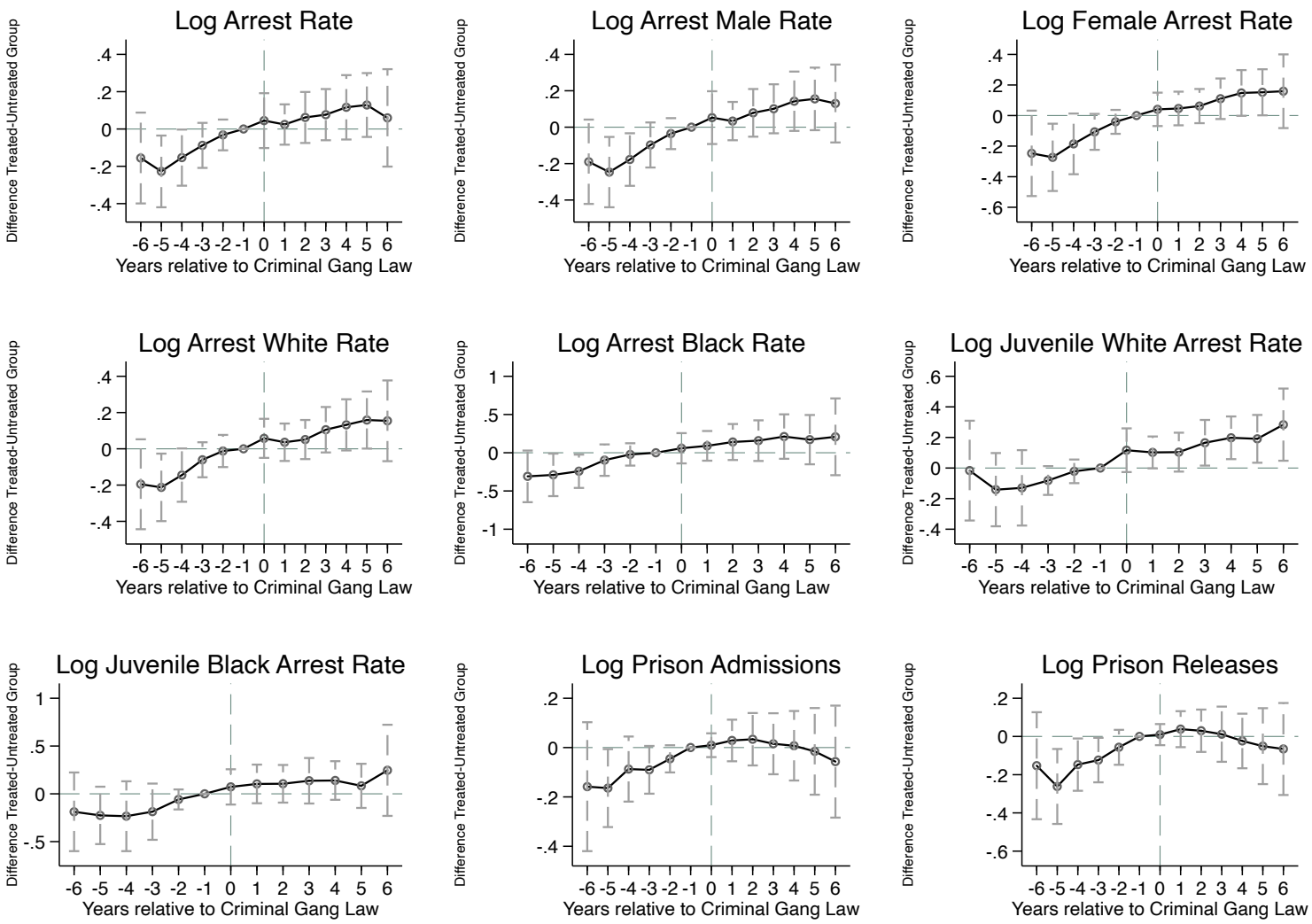


Figure 12A. Event Study Test Criminal Intelligence Laws on Arrest & Incarceration Outcomes



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