

For Immediate Release

Jan. 25, 2019

LOYOLA LAW SCHOOL'S JUVENILE JUSTICE & IMMIGRATION LAW CLINICS' 'GUILTY BY ASSOCIATION II' EXPLORES DEFENDING GANG MEMBERSHIP EVIDENCE

LOS ANGELES – The Center for Juvenile Law & Policy and the Loyola Immigrant Justice Clinic at Loyola Law School, Los Angeles will host “Guilty by Association II: Moving Beyond the Police Gang Narrative” on Friday, Feb. 1 and Saturday, Feb. 2 to examine methods of challenging theories of gang involvement, particularly among youth and immigrant defendants. To be held on Loyola’s downtown L.A. campus, panels will be anchored by lawyers, advocates, scientists, journalists and members of law enforcement.

The event will be held in Robinson Courtroom at Loyola Law School, 919 Albany St., Los Angeles, CA 90015. A full agenda is at www.lls.edu/policegang. For more information, please contact Brian Costello at brian.costello@lls.edu or 213-736-1444.

AGENDA

FRIDAY, FEB. 1, 2019

9:10-9:25 a.m.: Guilty by Association II- Have We Made Any Progress?

Four years ago, Loyola Law School held the first “Guilty by Association” conference, with the goal of encouraging defense attorneys and activists to challenge gang evidence and the police gang narrative. Did those efforts bear fruit?

9:30-10:45 a.m.: Dismantling the Police Gang Narrative Early In Your Case

Police gang experts presume that any defendant with gang involvement committed the charged offense “for the benefit of, at the direction of, or in association with a criminal street gang.” But existing neuroscience reveals that adolescents are impulsive, highly susceptible to peer pressure and less culpable than adults; as such, their actions can be explained by many factors besides gang involvement.

- **Constance Istratescu**, Attorney
- **Alfred Lomas**, Founder and Executive Director, Inner City Visions
- **Steve Liner**, Partner, Liner Law Group
- **Hugo Gonzalez**, Formerly Incarcerated Youth
- **Moderator: Melanie Ochoa**, Staff Attorney, ACLU Southern California

11 a.m.-12 p.m.: Gang Membership as Mitigation Evidence?

Teenagers who turn to gangs do so to fulfill needs unmet by their families, schools, and communities. Gangs help them escape from seemingly unsolvable problems such as poverty, neighborhood violence, substance abuse, learning deficits, and emotional struggles. The government’s narrative is that people join gangs because they are inherently violent, criminally sophisticated, and destructive to the community. How can we, as attorneys, present evidence to counter that narrative and underscore the trauma our clients have suffered and their humanity?

- **Alisa Blair**, Deputy-in-Charge, Los Padrinos Juvenile Division, Los Angeles County Public Defender
- **Dr. Manuel Saint Martin**, Ph.D., M.D., J.D., Forensic Psychiatrist and Attorney
- **Lucero Chavez**, Senior Staff Attorney, Immigrant’s Rights, Public Counsel
- **Thomas Ward**, Associate Professor of Anthropology, U.S.C. and Author of Gangsters Without Borders

12-1 p.m.: Consequences of Gang Classification in Prison Lunch Talk with Four Formerly Incarcerated Youth:

- **Joel Aguilar**
- **Tyree Dabney**
- **Michael Saavedra**

1:15- 2:45 p.m.: Looking at Gangs Through a Different Lens – Sheriff Gangs/Cliques/Secret Societies

Since at least the 1970s, lawyers, reporters and oversight bodies have alleged that that “deputy gangs” operate within Los Angeles Sheriff’s Department to the detriment of citizens’ civil rights. Despite this, LASD management has resisted investigating deputy gangs or acting to curtail gang-like behaviors by individual deputies. The panel will discuss the implications of allowing deputy gangs to continue operating with impunity and identify legal strategies to compel the prosecution or LASD to disclose whether a sheriff witness is a member of a deputy gang.

- **Sean Kennedy**, Kaplan & Feldman Executive Director and Clinical Professor, Center for Juvenile Law and Policy
- **Maya Lau**, Reporter, Los Angeles Times
- **Carl Douglas**, Partner, Douglas/Hicks, APC
- **Max Huntsman**, Inspector General, County of Los Angeles
- **Franky Carrillo**, Exoneree
- **Moderator: Eric Miller**, Leo J. O’Brien Fellow and Professor of Law, Loyola Law School

2:50-3:50 p.m.: Breakout Sessions

Session One: MS-13: Demonizing Migration

Donald Trump’s recent characterization of MS-13 as “animals” who “aren’t people” exemplifies contemporary demonization of MS-13 in popular discourse. This working group deconstructs the hyperbolic media narrative, debunking common myths about MS-13 and examining the role of U.S. immigration policy in the gang’s origin. This panel will also discuss potential strategies for combating this narrative available to immigration advocates.

- **Alan Diamante**, Senior Counsel, Diamante Law Group APLC
- **Thomas Ward**, Associate Professor of Anthropology, U.S.C. and Author of Gangsters Without Borders
- **Alex Sanchez**, Homies Unidos
- **Moderator: Sandra Ruiz**, Staff Attorney, Loyola Immigrant Justice Clinic

Session Two: Gang Evidence Post-Sanchez

The California Supreme Court’s decision in *People v. Sanchez* changed the rules for admissibility of gang expert testimony, but did it change the nature of gang evidence, and do the same rules apply to mitigation evidence at sentencing? The panel will discuss the latest developments in the law, as well as strategies for admitting mitigation evidence in resentencing and *Franklin* hearings.

- **Bobby Grace**, Deputy District Attorney, Major Crimes Unit
- **Constance Istratescu**, Attorney
- **Moderator: Christopher Hawthorne**, Director and Law Professor, Juvenile Innocence and Fair Sentencing Clinic, Loyola Law School

Session Three: Immigration Consequences of Gang Allegations

Many forms of immigration relief rely on a discretionary determination of “good moral character” by an immigration judge. Increasingly, ICE uses entry on a gang database, and information accessible through criminal records and gang injunctions to argue against this determination. The subjective nature of this information makes its use in immigration enforcement particularly problematic. This panel explores the immigration consequences of gang allegations and the challenges faced by states attempting to prevent the sharing of gang database information.

- **Marissa Montes**, Co-Director and Clinical Professor, Loyola Immigrant Justice Clinic
- **Phal Sok**, Organizer, Youth Justice Coalition
- **Shiu Ming Cheer**, Senior Staff Attorney & Field Coordinator, National Immigration Law Center
- **Chris Sanchez**, Policy Advocate, Coalition for Humane Immigrant Rights
- **Moderator: Alejandro Barajas**, Staff Attorney, Loyola Immigrant Justice Clinic

3:50-4 p.m.: Closing Remarks

- **Sean Kennedy**, Kaplan & Feldman Executive Director and Clinical Professor, the Center for Juvenile Law and Policy

4-5:30 p.m.: Reception

SATURDAY, FEB. 2, 2019

8:45-8:55 a.m.: Welcome

- **Sean Kennedy**, Kaplan & Feldman Executive Director and Clinical Professor, the Center for Juvenile Law and Policy

9-9:25 a.m.: Brief History of the War on Gangs, Youth Justice Coalition

9:30-10:30 a.m.: Gang Databases

California currently operates the largest statewide gang-database in the country. Cal-Gang’s stated mission is to “identify and track gang members.” However, a 2016 audit brought to light significant inaccuracies in the information contained in the database. This panel explains the function and structure of Cal-Gang and explores the criminal, immigration and community consequences of entry. As well as, explains current notice and removal processes that can be accessed by community members.

- **Sean Garcia-Leys**, Staff Attorney, Urban Peace Institute
- **Det. Ryan Cooper**, Los Angeles Police Department, Gang Unit
- **Anthony Robles**, Formerly Incarcerated Youth, Rising Scholar
- **Jeremy Thornton**, Deputy Public Defender, San Diego Public Defender
- **Moderator: Marissa Montes**, Co-Director and Clinical Professor, Loyola Immigrant Justice Clinic

10:50 a.m.-12:15 p.m.: How to Connect Gang Prevention, Intervention and Outreach with Legal Teams

This panel explores how attorneys and activists can best work together in the realm of gang prevention, intervention and outreach. A diverse panel of activists, lawyers and city officials will discuss potential strategies available to defense counsel. Topics to be discussed include the use of community members and "gang experts" as expert witnesses, as well as the role of GRYD.

- **Anne Tremblay**, Director, Los Angeles Mayor's Office of Gang Reduction & Youth Development
- **Petra Funtila**, Community Intervention Specialist, 2nd Call
- **Anthony Robles**, Youth Organizer / LOBO, Youth Justice Coalition
- **Maureen Pacheco**, Trainer, Juvenile Division, Los Angeles County Alternate Public Defender's Office
- **Constance Istratescu**, Attorney
- **Moderator: Kim McGill**, Organizer and Co-Founder, Youth Justice Coalition

12:15-1:15 p.m.: Lunchtime Keynote Speaker

- **Ricardo Garcia**, Public Defender of LA County • Ricardo Garcia, Public Defender, L.A. County

1:15-2:30 p.m.: Women and Female Identifying People and Gangs

Police gang experts and gang researchers have historically focused on boys and men, resulting in a hyper-masculine narrative about gang membership and activities. But participation by girls and women in gang activities continues to rise. The panel will discuss the understudied phenomenon of female gang membership and participation, including how gang prevention and outreach programs for females should differ than programs designed for males. The panel will also explore impact of gender identity on the roles that women and girls occupy within the gang.

- **Jorja Leap**, Adjunct Professor of Social Welfare; Director, Health and Social Justice Partnership, UCLA
- **Dunia Flores**, Survivor and Advocate
- **Claudia Bracho**, Lead Case Manager and Interventionist, H.E.L.P.E.R. Foundation
- **Moderator: Vanessa Alvarez**, LCSW, Center for Juvenile Law and Policy

2:30-3:45 p.m.: Session Four: Growing Up and Out of the Gang

The police narrative is that nobody gets out of the gang—in other words, “blood in, blood out.” But the reality is very different. The question is: what opportunities are there for formerly gang-involved youth when they transition? Out of the gang? Out of prison? Back into the community? What are some of the obstacles they face? What resources do they have?

- **Efty Sharony**, Director, Los Angeles Mayor's Office of Reentry
- **Alfred Lomas**, Founder and Executive Director, Inner City Visions
- **Elie Miller**, Attorney, Center for Juvenile Law and Policy
- **Grisel Ruiz**, Staff Attorney, Immigrant Legal Resource Center
- **Moderator: Marisa Sacks**, Public Interest Fellow, Juvenile Innocence and Fair Sentencing Clinic

3:45-3:50 p.m.: Closing Remarks

- **Sean Kennedy**, Kaplan & Feldman Executive Director and Clinical Professor, the Center for Juvenile Law and Policy

3:50-4:30 p.m.: Reception

About the Loyola Immigrant Justice Clinic

The Loyola Immigrant Justice Clinic (LIJC) is the first law school-housed community-based immigration clinic in the United States. The LIJC's dual-pronged mission is to advance the rights of the indigent immigrant population in East Los Angeles through direct legal services, education and community empowerment, while teaching law students effective legal skills and ethics in a real-world setting. Founded in 2012 by alumnae Marissa Montes '12 and Emily Robinson '12, the clinic has helped thousands of clients obtain relief. Learn more at <http://www.ils.edu/lijc>.

About the Center for Juvenile Law & Policy at Loyola Law School, Los Angeles

The Center for Juvenile Law & Policy (CJLP) at Loyola Law School, Los Angeles was created in 2004 to foster systemic reform of the juvenile justice system by participating in and encouraging research, discussion and advocacy in the field and developing policy initiatives for systemic change. It provides a place for stakeholders to meet and discuss issues in an atmosphere that promotes constructive cooperation. The CJLP comprises three clinics: the Juvenile Justice

Clinic, which represents youth in the L.A. County juvenile justice system; the Youth Education Justice Clinic, which works to ensure that L.A. County youth receive the educational services to which they are entitled; and the Juvenile Innocence & Fair Sentencing Clinic, which works on behalf of those sentenced to life in prison as youth. Since its inception, the CJLP has trained more than 250 new attorneys and dedicated almost 80,000 pro bono hours to more than 500 children in 1,000-plus delinquency cases in L.A.'s neediest communities. Learn more at www.lls.edu/cjlp.

About Loyola Law School, Los Angeles

Located on an award-winning Frank Gehry-designed campus in downtown Los Angeles, Loyola Law School is home to prominent faculty, dedicated students and cutting-edge programs. The Law School strives to instill in students the knowledge they need to excel on their chosen paths. It dedicates itself to preparing students for the rigors of practice with an extensive portfolio of practical-training opportunities, an 18,000-strong alumni network and a focus on social justice. Learn more at www.lls.edu.

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