



**SCHOLARS**  
STRATEGY NETWORK

## **Gang Labels Can Wrongly Increase Stays in Solitary Confinement**

**Keramet Reiter**, University of California-Irvine

**Rebecca Tublitz**, CUNY Institute for State & Local Governance (ISLG)

The criminal legal system should protect public safety while treating all people fairly and humanely. However, gang labels often become justifications for increasingly harsh and unequal penalties. Administrative designations like “gang member” or “associate” can trap people in these punitive cycles, even absent evidence of actual bad behavior. At best, gang labels represent a carefully documented assessment of an individual’s prior criminal record and known associations with a group of proactive lawbreakers. Police, immigration, and prison officers all define and apply the label as a tool to manage populations they identify as dangerous. But the gang label can also be a hastily imposed scarlet letter, assessed based on limited and ambiguous evidence, like a tattoo or an observed conversation with a suspected criminal. At worst, the gang label can be disconnected from any actual evidence of dangerousness or lawbreaking.