You Decide

3.5 Defendant Israel Cervantes and fellow gang members of the Highland Street gang went to a birthday party for a member of the Alley Boys gang. The two gangs were not enemies. Cervantes approached a woman named Grace who refused his invitation to go to another party. Cervantes called her a "ho," and the two exchanged insults. Juan Cisneros, a member of the Alley Boys, told Cervantes that he was disrespecting his "homegirl." Richard Linares, a member of the Alley Boys, tried to calm the situation. Cisneros, however, drew a gun and threatened to "cap" Cervantes. Cervantes pulled out his own gun. Linares responded by "pushing or touching" Cervantes in an effort to separate him from Cisneros. The defendant Cervantes stated that "nobody touches me" and shot Linares through the arm and chest. A large-scale fight ensued between the gangs, and gang "challenges were exchanged."

A short time later, a group of Highland Street gang members saw Hector Cabrera, a member of the Alley Boys, entering his car. Five gang members fired shots and participated in killing Cabrera.

Would you hold Cervantes liable for the murder of Cabrera? See *People v. Cervantes*, 29 P.3d 225 (Cal. 2001).

You can find the answer at study.sagepub.com/lippmaness2e.