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Controlling gang crime: The Santa Nita gang injunction

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CONTROLLING GANG CRIME: THE SANTA NITA GANG
INJUNCTION

A Thesis
Presented to the
Faculty of
California State University,
San Bernardino

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts
in
Criminal Justice

by
Bryan William Devor

March 2011


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ABSTRACT

Gangs have been present in the United States for decades. Gangs range in time from those of the early Irish Gangs of New York, to the numerous Hispanic, Caucasian, Asian, and African-American Gangs of southern California today. As gang membership and violent activity increases over time, the criminal justice system must improve its strategies in dealing with gang related crime and activities.

The current strategies being used today include specialized gang suppression units, gang enhancement sentencing, and gang injunctions to name a few. This study pays particular attention to gang injunctions as this technique is being used more frequently now than in the past.

Through a quantitative research study, the researcher examined crime in the cities of Garden Grove, California and Santa Ana, California in an attempt to determine the success of the Santa Nita Gang Injunction in reducing crime within the injunctions "safety zone."

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CHAPTER ONE

INTRODUCTION

Present day street gangs are typically divided by race whether it is African-American, Hispanic, Caucasian, Asian, etc.; however some gangs cross race lines. This study explores increasing gang membership, gang structure, and strategies utilized by the criminal justice system in attempting to curb gang related crime and activities.

The techniques reviewed include sentence enhancements for gang related crime, specialized gang units, and gang injunctions. This study pays particular attention to gang injunctions as this form of suppression is being used on a more frequent basis. The gang background of this paper focuses primarily on Hispanic criminal street gangs as the gang studied by the researcher is a Hispanic criminal street gang in Santa Ana, California known as Santa Nita.

Santa Nita Street Gang

Hispanic criminal street gangs have been present in Southern California since the early 1900's. The Mexican Mafia, which is a Hispanic prison gang known to oversee street level gang activity, was founded between 1956 and

1957 by several East Los Angeles gang members known as the "Eslos" while serving prison time at the Duel Vocational Institute in southern California (Valdez, 1998).

The Santa Nita street gang was formed in the City of Santa Ana, California beginning in the 1940s. The Santa Nita neighborhood formed in the later 1940s around agriculture interests. The neighborhood has evolved over the years however has been comprised mainly of Hispanic residents.

A social group was formed in the 1940s within the neighborhood. This social group began as a car club called, "The Midnight Cruisers" (Launi, 2006). During the 1950s and 1960s, The Midnight Cruisers name faded away. The car club began referring to itself as "The Dramatics." The insignia of the group and the name came from a music group during the time. The insignia of "The Dramatics" were crossed walking canes with a top hat above the center of the canes, and formal long white gloves draped over the walking canes where they crossed (Launi, 2006).

Due in part to rivalries with other car clubs during the 1960s, "The Dramatics" began evolving into the gang they are today. This evolution included "The Dramatics" changing its name to "Santa Nita." This change was made to

show a sense of pride for the neighborhood its members were from.

Gang Injunctions

Some of the major tools currently used by the criminal justice system to combat gang violence are gang injunctions, sentence enhancements, and gang suppression units. Civil gang injunctions are civil court orders that prohibit a group of people who belong to a certain gang from participating in otherwise legal activities (Maxson, 2005).

When a civil gang injunction is issued for a certain gang as was done in Santa Ana, California in 2006 for the "Santa Nita" criminal street gang, several steps are followed. After the order is issued, all active members of the gang who are listed on the order are served with the restraining order. The service process is similar to other court issued restraining orders such as those commonly used in domestic violence cases.

Once the members are served, they are prohibited from engaging in activities such as verbally stating their gang name, showing gang signs, wearing gang clothing, associating with other gang members, among other sanctions

(Maxson, 2005). These are only a few examples of prohibited activities as the prohibited activities will vary depending on which gang is being restricted and the primary activities engaged in by the gang. Served members of the gang injunction are subject to arrest if engaging in activities prohibited by the court ordered gang injunction within the "Safety Zone."

Sentence Enhancements

The California Legislature has passed laws which demand more stringent sentencing for gang members who commit crimes in furtherance of the illegal activities engaged in by their gang.

California Penal Code (CPC) section 186.22 is a section which will be discussed in this study. This section is a gang enhancement statute. This section adds substantial prison time on a consecutive basis to the original sentence of the gang member when specific crimes are committed for the benefit of the gang.

Consecutive means that the enhancement provided by CPC 186.22 must be served at the end of the original sentence for the original crime. For example if a gang member is sentenced to two years for auto theft with a three year

gang enhancement under CPC 186.22, the member will have to serve a total of five years for the crime.

Gang Suppression Units

Police officials have been dealing with gangs over the course of history and it appears they will be dealing with gang members for years to come. Although gang enhancement sentencing and civil gang injunctions are tools that can be used by law enforcement and the criminal justice system to combat gang violence, the problem is much more complex. To keep abreast of the gang problems within their cities, numerous agencies have developed specialized gang units whose main focus is the gathering of gang intelligence and proactively suppressing gang member activities through criminal prosecution.

Over the past few decades, the United States has seen a dramatic increase in the number of specialized gang units established by police departments around the country (Katz, 2000). Such specialized units are said to be created to focus departmental resources, energy, and skill on their gang problems (Katz, 2000).

According to 1999 Law Enforcement Management and Administrative Statistics (LEMAS) survey, it is estimated that roughly 360 police gang units exist in the United

States and that just over half of all city departments with 100 or more sworn officers have such a unit (Decker, 2007)

CHAPTER TWO

LITERATURE REVIEW

Scope of The Gang Problem

Gangs are a threat to public safety in many suburban communities throughout the country, particularly violent urban gangs that have migrated from inner cities to surrounding areas (Attorney General, 2008). Street gangs have been present in the United States for decades. Over the years, street gangs have grown in size and in violent criminal activity. Law enforcement and media reports suggest that criminal street gangs are active in nearly every state, including Alaska and Hawaii (OJJDP, 2008)

There are currently believed to be more than 20,000 gangs consisting of approximately 1 million members throughout the United States (Attorney General, 2008). There are many factors which can lead to a person's gang affiliation such as being reared in a single-family household, poor economic background, and poor academic performance in school to name a few.

This chapter focuses on such factors as gang structure, gang types, gang demographics, and public perception regarding gangs. This chapter also reviews

different strategies formed and currently being used throughout the criminal justice system to control gang violence such as the gang enhancement sentencing in California, the formation of specialized gang units, and the use of gang injunctions as a way to control the activities of known gang members.

Street Gang Structural Overview

Street gangs function as ongoing, open social systems in relation to their surrounding socio-cultural context. Gangs are comparable to family systems (Ruble & Turner, 2000). Street gangs usually exhibit a highly complex organization, structure, process, and functionality. For years, social scientists, police officials, and popular media have all struggled to understand the essence of street gangs (Sanders, 1994).

Perhaps street gangs can be best understood through a systemic approach paying careful attention to their systemic dynamics, functions, and organizational structures (Ruble & Turner, 2000).

Street gangs can be defined as groups of youths and young adults with varying degrees of cohesion and structure, who have regular contact with one another, ways

of identifying their group, and rules of behavior within the system (Conley et. al., 1993). Gangs provide services for their members such as providing identity, cohesion, self-esteem, and a sense of belonging (Harris, 1994).

Gang Types

According to Ruble and Turner (2000), there are three main types of gangs; the first is the social gang. This type of gang is a relatively permanent group that gathers at a specific location. They are not likely to participate in serious delinquent activity and will engage in physical violence only if they are attacked.

The second type of gang is the delinquent gang. This type of gang is structurally cohesive and is often organized around the pursuit of monetary gain which the gang accomplishes through illegal activity. This type of gangs' survival depends on each member carrying out their specific assignment successfully.

The final type of gang is the violent gang. The primary purpose of this gang is to obtain power through violence. These gangs tend to have strong leaders and followers. These gangs also have intra-group violence where they are verbally violent towards one another.

Gang Demographics

The ages of gang members can vary however most studies show that members typically fall between the ages of 10 and 30, with the majority being between the ages of 14 and 24 although some members have been found as young as eight years old (S. Borringer, personal communication, 1995).

Gang behavior tends to be largely a male phenomenon. Although gangs are predominantly male, research does show a rise in the forming of female street gangs (Ruble & Turner, 2000). Females associated with male gangs are typically used to carry weapons, provide alibis, to serve as spies and to provide sex for male gang members (Winfrey et al. 1994).

When it comes to race, most gangs tend to be racially exclusive. Gangs are usually divided into four main racial categories: African-American origin, Asiatic or Asian origin, European origin, and Hispanic origin (Miller, 1975). Overall African-American and Hispanic gangs are the most dominant gangs represented in a population (Conley et. al., 1993).

Gangs usually exist within three main areas. The primary location for gang activity is in the inner city. Gangs tend to form in shifting, changing, or transitional

neighborhoods of the larger cities. These areas are usually referred to as the "projects."

Another area where gangs are typically found is in areas referred to as the "stable slums." An example this area would be South Central Los Angeles. These areas have slow population shifts which permits patterns of behavior and tradition to develop over a number of years. The third place where gangs originate is in the suburban and rural areas. These types of areas were formerly known as middle-class areas but are now in decay (Conley et al., 1993).

Public Perception

Research literature indicates that a way to effectively gauge how the social phenomenon of gangs affects individuals in a community is to measure the perceptions of a given community regarding gangs. Several studies have used this method to examine the responses of citizens to the gang presence in their community. A study conducted by Takata and Zevitz (1990) asked adults and students in Racine, Wisconsin about their perceptions with regards to the gang issues within their city.

This study found that parents had a more negative view of gangs than the juvenile students. It also found that

although juvenile students did not believe gangs in the community were a large problem, they were more likely than the adults to believe that the presence of gangs were widespread throughout the city and the schools (Takata and Zevitz, 1990).

Another study on fear of gang crime was conducted by Jodi Lane. The study focused on the city of Santa Ana. Santa Ana is located in Orange County, California and is a city which has struggled with social disorganization and gang violence for decades. Participants for this study were selected from six neighborhoods in 1997 to ensure a diverse sample. During the study, Lane conducted focus groups with the participants of the different neighborhoods throughout the city.

This study found that most residents interviewed reported fear of gangs. This fear however varied in depth and urgency depending on the neighborhood (Lane, 2002). For example, residences from a lower-income neighborhood were confronted daily with the possibility of violence. This was not the case with the middle to upper-class residents. Interestingly, the middle to upper-class white residents believed that gang crime was linked directly to Latino immigrants.

Gang Remedies

The constant increase in gang members has grown to approximately one million over the past few decades and has forced police and lawmakers to adopt innovative strategies in an attempt to curb gang activity (Attorney General, 2008). There may be no greater factor contributing to a neighborhood's blight than the presence of an organized criminal street gang.

As described by the California Supreme Court in a recent case, one community had become an "urban war zone," and a four-block neighborhood within this community was described as "an occupied territory" where "murder, attempted murder, vandalism, arson, and theft were commonplace and a place where residents had their garages used as urinals and even their vehicles turned into a canvas for gang graffiti" (Regini, 1998, p.5).

Police agencies throughout the country have attempted to formulate strategies aimed at dealing with the street gang problems in their communities. These strategies often include loitering ordinances and injunctions. The formulation of injunctions raised several complex constitutional issues.

The Illinois Supreme Court found a gang loitering ordinance unconstitutional while the California Supreme Court upheld the use of an injunction to target gang conduct that creates a "public nuisance" (Regini, 1998).

Chicago Gang Experiment 1992

In 1992, the Chicago City Council held a hearing to address problems gang members were causing in local communities. Community residents testified that gang members loiter as part of a strategy to establish turf, recruit new members, and intimidate rival gangs and members of the community (Regini, 1998). The Chicago City Council enacted the Gang Congregation Ordinance in response to these concerns voiced by the residents of the community.

The ordinance stated that "Whenever a police officer observes a person whom he or she reasonably believes to be a criminal street gang member loitering in any public place with one or more other persons, he or she shall order all such persons to disperse and remove themselves from the area. Any person who does not promptly obey such an order is in violation of this section and is subject to arrest." (Sturgeon, 2001, pp. 115)

Violation of the ordinance was punishable by a fine of up to \$500, imprisonment for up to six months, and 120 hours of required community service (Sturgeon, 2001). Between August 1992 and December 1995, Chicago police officers issued over 89,000 dispersal orders and arrested over 42,000 people for violating the gang-loitering ordinance (Sturgeon, 2001). There were a total of 5,251 arrests made in 1993, 15,000 in 1994, and 20,056 in 1995 (Sturgeon, 2001).

As the ordinance enforcement began, numerous defendants attacked the ordinance on the grounds of its constitutionality. Two African-American aldermen claimed that the proposal was "drafted to protect the downtown area and the White community at the expense of innocent Blacks" (Sturgeon, 2001, p.112). They furthered their opposition stating that the ordinance controlled the movement of African-Americans in Chicago similar to the South African Apartheid.

This resulted in a review of the ordinance by the Illinois Supreme Court in the case of Chicago v. Morales (1999). In this case, the City of Chicago requested that the Illinois Supreme Court reverse a lower court decision that found the ordinance to be unconstitutional.

On June 10, 1999, the court released their decision. The court determined that the ordinance violated the due process of law, because it was unconstitutionally vague. This decision led to the abolishment of the loitering ordinance in the City of Chicago (Regini, 1998)

Verdugo Flats Injunction 2002

During one weekend in November 2002, a drive-by shooting on the west side of San Bernardino, California left two teenagers and one adult wounded. Police responded to this increase in violent activity by instituting a civil gang injunction against a Hispanic gang known as Verdugo Flats. This injunction prohibited selected gang members from engaging in such activities as loitering at schools, carrying pagers, and riding bicycles (Maxson, 2005).

San Bernardino residents in five neighborhoods were surveyed about their perceptions and experiences with gang activity. They were asked about the quality of the neighborhood eighteen months prior to and six months after the issuance of the San Bernardino Civil Gang Injunction. Analyses indicated positive evidence of short-term effects in the disordered, primary injunction areas including less gang presence, fewer reports of gang intimidation, and less fear of confrontation with gang members. There was however

no change in regards to long-term outcomes with the exception of a lowered fear of crime (Maxson, 2005).

Santa Nita Gang Injunction 2006

On July 14, 2006, a court ruled that the Santa Nita Criminal Street Gang is a public nuisance to the city of Santa Ana, California. It is the goal of the injunction to "abate the nuisance." The injunction prohibits Santa Nita gang members from engaging in a variety of actions. Enforcement of the prohibitions from Santa Nita gang members will break many of the precursor activities that lead to violent crime.

A specific zone was designated as an enforcement area for the injunction. This area is known as the safety zone (See Appendix A). The safety zone for the Santa Nita Gang Injunction covers areas within the City of Santa Ana and The City of Garden Grove. Each city police department breaks areas within the city boundaries into reporting districts. The Santa Nita Gang Injunction includes a total of five reporting districts, three in Santa Ana and two in Garden Grove. Furthermore, the provisions only apply in public, public view, and areas open to the public.

Once a gang member is served with a copy of the Preliminary Injunction, and he or she violates one or more

of the prohibitions of the injunction within the safety zone, he or she is subject to arrest and prosecution.

Adults who violate the injunction are booked into the Santa Ana Detention Facility while juveniles are booked into the Orange County Juvenile Hall.

The difference between the gang injunction and a standard court ordered restraining order is in the sentencing after a conviction. A traditional restraining order violation is a misdemeanor with a maximum fine of \$1,000 and up to one year in jail. A gang injunction violation is classified as a felony and can be punished by up to three years in prison.

The Santa Nita Gang Injunction is a new strategy being used by the Santa Ana Police Department in an attempt to curb the activity of the Santa Nita criminal street gang. Since the injunction is fairly new, studies regarding the injunctions effectiveness are limited.

Gang Member Sentencing Enhancements

The criminal justice system has also targeted gang members through the addition of Penal Code Section 186.22. This section provides for enhanced sentences when gang members take part in criminal activity. There are numerous criminal activities listed in the gang enhancement section

such as vehicle theft, homicide, carjacking, robbery, felony vandalism, etc.

Any person who actively participates in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity, and who willfully promotes, furthers, or assists in any felonious criminal conduct by members of that gang, shall be punished by imprisonment in a county jail for a period not to exceed one year, or by imprisonment in the state prison for 16 months, or two or three years (State of California, 2009).

As stated in the introduction of this chapter, a gang enhancement sentence is served on a consecutive basis to the original sentence for the given crime. The gang member must also serve 85% of the time added by the gang enhancement rather than 50% which is common for most non-violent criminal acts. A conviction of the gang enhancement section for being an active gang member also counts as a strike towards California's three strikes sentencing law.

Gang Suppression Units

As gangs grew dramatically throughout the United States in the 1990s, police responded by the development of specialized gang units (Decker, 2007). These specialized

units were developed for the purpose of suppressing the activities of known gang members through criminal prosecution. These units are also tasked with developing intelligence regarding current rival gang tension and other illegal activities.

The largest development of police gang units has occurred in the past two decades. Many researchers, police officials, and citizens have attributed this rise to the growing gang problem (Katz, 2000). For instance, reports show that in 1982 only 25% of cities with over 100,000 residents reported a gang problem. In the early 1990s the cities reporting a gang problem rose to 90% (Katz, 2000).

Regardless of the cause for the increase in specialized gang units, whether it was due to the availability of federal funds or legitimate gang crime, the fact remains that the gang problem is getting worse. Of the specialized units within a police department, it appears that the gang unit must be of the utmost importance.

Gang members have shown over many years that they will continue their criminal activity and increase their propensity for violence. With the formation of specialized gang units, law enforcement is finally coming to the

realization that everyday patrol officers are not enough to control the ever expanding gang population.

Throughout time, the numbers of gang members and gangs have increased as has their violence and participation in illegal activities. The criminal justice system is taking an innovative approach to dealing with the gang issues in the form of gang member sentence enhancements, gang injunctions, and the formation of specialized gang units. Only time will tell if these innovative strategies will make an impact on gang activity, which will make our communities more pleasant and less violent.

Hypothesis

The implementation of a street gang injunction within a high crime gang neighborhood will decrease gang related crime.

CHAPTER THREE

METHODOLOGY

Current Study

The researcher conducted an exploratory study using crime statistics. The main focus of this study was to evaluate the effectiveness of the Santa Nita Gang Injunction through a quantitative review of incidents of crime pre and post injunction implementation.

The researcher reviewed crime data for the safety zone for the Santa Nita Gang Injunction and compared it to overall crime data for the Cities of Garden Grove and Santa Ana, Ca. The crime data used was obtained from the Santa Ana and Garden Grove Police Departments and covered January 1, 2004 through December 31, 2008. The crimes examined in the study were Homicide, Rape, Robbery, Assault, Burglary, Theft, and Auto Theft (Appendix B). These crimes were selected as they are common crimes committed by gang members and are subject to gang enhancement sentencing.

The crime data obtained was for crimes reported to and documented by Santa Ana Police Department and Garden Grove Police Department. The researcher compared the crime data for 2004 combined with 2005 to the crime data for 2007

combined with 2008. The researcher conducted this comparison for each of the above listed crimes in an attempt to determine whether the implementation of the gang injunction had an effect on crime within the safety zone. The crime data for 2006 was not examined as the gang injunction was passed and implemented in the middle of the year in 2006 and it was unknown how soon enforcement began after the injunction was obtained.

The crime data allowed the researcher to compare the crime rate change within the safety zone to the crime rate change of the city as a whole. This evaluation was conducted for the safety zone within the City of Santa Ana and within the City of Garden Grove.

Sample Composition

The study includes crime statistics from the Cities of Santa Ana and Garden Grove. The statistics include the crimes of Homicide, Rape, Robbery, Assault, Burglary, Theft, and Auto Theft. The researcher obtained crime statistics for the above crimes from the Cities of Santa Ana and Garden Grove. The citywide crime statistics range from January 1, 2004 to December 31, 2008. Crime statistics for the same time period and offenses was obtained for the

safety zone. These statistics were used to determine whether gang related crime in the safety zone was affected by the gang injunction.

Problems and Limitations

The study has limitations as it is a quantitative study set in a single county within California. The study is also based on a small amount of crime data obtained for a five year period where determining significance or lack thereof is difficult due to the low number of incidents being examined. The results of this study may not have the ability to be universally applied to all counties in California or across the United States regarding gang injunction effectiveness.

It should also be noted that most gang injunctions are formed based on the crime trends and primary activities observed by the law enforcement agency authoring the document. This being said, a gang injunction in Santa Ana, Ca. may prohibit different activities than one written in San Bernardino, Ca.

On a positive note, the researcher believes the current evaluation of the Santa Nita Gang Injunction will provide support for gang injunctions as an effective

strategy for controlling the activities and criminal behavior of gang members and lower crime within neighborhoods claimed by violent criminal street gangs.

CHAPTER FOUR

RESULTS

Santa Ana Crime Data

The researcher obtained crime data for the City of Santa Ana from January 1, 2004 to December 31, 2008. The preceding tables compare crime data for the City of Santa Ana to crime data for the Santa Nita Gang safety zone, which encompasses three Santa Ana Police Department reporting districts. The crimes studied by the researcher include: homicide, rape, robbery, assault, burglary, theft, and auto theft. Homicide will not be discussed as the occurrences of homicide within the safety zone are too small to determine any significant change.

Table one reviews rape within the City of Santa Ana (See Appendix C). The incidents of rape within the City of Santa Ana for 2004-2005 were 147 compared to 131 for 2007-2008. The City of Santa Ana experienced a decrease in rapes of 11% post gang injunction. There were 13 incidents of rape for 2004-2005 compared to 8 for 2007-2008 in the safety zone. Incidents of rape in the safety zone decreased by 38.5% post injunction. This table shows that the safety

zone had a decrease in rape over three times greater than the decrease throughout the city overall.

Table two represents incidents of robbery in the City of Santa Ana (See Appendix C). As can be seen in the table, the City of Santa Ana experienced 1209 robberies in 2004-2005 and 1621 robberies in 2007-2008. Based on these numbers, Santa Ana experienced a 25.5% increase in robberies in the two years after the implementation of the gang injunction when compared to the two years prior to the gang injunction. The incidents of robbery within the safety zone also increased from 43 in 2004-2005 to 52 in 2007-2008. This increase however was not as substantial as the overall city increase. The safety zone experienced only a 17% increase, while the city as a whole increased 25.5%.

Table three represents Santa Ana assaults (See Appendix D). This table represents all assaults within the City of Santa Ana which were not classified as a homicide. The assaults can range from simple assaults to attempted murder. The City of Santa Ana had a decrease in assaults throughout the city when comparing pre injunction to post injunction years. For 2004-2005 Santa Ana had 2,305 incidents compared to only 1,868 for 2007-2008. This was a decrease of 29%.

When examining the assaults within the safety zone, the researcher found the opposite as assaults increased when comparing the same years. The Santa Ana Injunction area had 35 assaults for 2004-2005 and 37 assaults for 2007-2008. The increase within the safety zone was 5%.

Table four compares Santa Ana burglary for 2004-2005 to 2007-2008 (See Appendix D). This table also compares Santa Ana safety zone burglary for 2004-2005 to 2007-2008. The City of Santa Ana had 2,432 incidents of burglary in 2004-2005 and 2,110 incident of burglary in 2007-2008. The burglary decrease for Santa Ana post injunction was 13.3%.

When comparing burglary in the Santa Ana safety zone, a decrease is also found. There were 80 incidents of burglary in 2004-2005 compared to 50 incidents in 2007-2008. This represents a drastic decrease of 37.5%. The decrease in burglary within the injunction was nearly three times that of the decrease within the city overall.

Table five is representative of theft in the City of Santa Ana (See Appendix E). The theft incidents documented in table five include all thefts other than those documented as burglary, robbery, or auto theft. There were 10,957 theft incidents in the City of Santa Ana for 2004-2005 and 9,032 incidents in the city for 2007-2008. The

decrease when comparing these two time frames is 17.6%. When reviewing the incidents of theft within the Santa Ana safety zone, a decrease was also present. A total of 85 incidents were documented for 2004-2005, while 64 incidents were documented for 2007-2008. This represents a decrease of 25%.

Table six represents incidents of auto theft within the City of Santa Ana (See Appendix E). When reviewing the auto theft incidents for 2004-2005 to 2007-2008, a decrease is found. The incidents of auto theft decreased from 6,809 in 2004-2005 to 3,635 in 2007-2008. The incidents of auto theft decreased 47.7% post injunction implementation. A decrease of 50% is found in the Santa Ana safety zone.

The incidents of auto theft decreased from 162 in 2004-2005 to 81 in 2007-2008. Although the crime rate decrease for auto theft in the safety zone is only a few percent greater, the data shows an impressive overall decrease in auto theft throughout the city. This decline may be attributed to an enforcement or investigative program through the Santa Ana Police Department other than the gang injunction.

Garden Grove Crime Data

The researcher obtained crime data for the City of Garden Grove from January 1, 2004 to December 31, 2008. The preceding tables compare crime data for the City of Garden Grove to crime data for the Santa Nita Gang safety zone, which encompasses two Garden Grove Police Department reporting districts. The crimes studied by the researcher include: homicide, rape, robbery, assault, burglary, theft, and auto theft. Homicide will not be discussed as the occurrences of homicide within the injunction area are too small to determine any significant change.

Table seven represents incidents of rape within the City of Garden Grove and the safety zone area within the city (See Appendix F). No change was observed when examining the incidents of rape within the city as 55 incidents occurred for 2004-2005 and 2007-2008. An increase was found in the safety zone as 3 incidents occurred for 2004-2005, while 5 incidents occurred for 2007-2008. The crime rate increase for rape in the safety zone post injunction implementation was 40%.

Table eight represents incidents of robbery in the City of Garden Grove and the safety zone (See Appendix F). An increase was observed with incidents of robbery overall

in the City of Garden Grove and within the safety zone. The city had 403 incidents of robbery for 2004-2005 and 510 incidents of robbery for 2007-2008.

This represents a crime rate increase of 21%. There were 15 incidents of robbery within the safety zone for 2004-2005 and 26 incidents of robbery for 2007-2008. This represents a crime rate increase of 43%. With regards to robbery, the safety zone had an increase in robbery at a rate two times that of the city as a whole.

Table nine represents incidents of assault within the City of Garden Grove and the safety zone (See Appendix G). The assaults recorded in table nine represent all assault incidents not classified as homicide. When reviewing the incidents of assault within the City of Garden Grove a decline was observed as 929 incidents of assault were documented for 2004-2005 while 678 incidents of assault were recorded for 2007-2008. These incidents represented a crime rate decrease of 27.1%.

A decrease in the reported incidents of assault was also observed within the safety zone. Thirty-four incidents of assault were documented in the injunction area for 2004-2005 while 21 incidents were documented for 2007-2008. This

represents a decline in the crime rate for assaults by 49.3%.

Table ten represents incidents of burglary documented in the City of Garden Grove and the safety zone (See Appendix G). When reviewing the documented incidents of burglary within the City of Garden Grove and the safety zone, an increase is observed. There were 1,577 incidents of burglary documented in the city for 2004-2005 and 1,694 incidents documented for 2007-2008. This represents an increase of 17%. The safety zone had 37 reported incidents of burglary for 2004-2005 and 54 incidents for 2007-2008. This represents an increase of 32.5% in the safety zone.

Table eleven represents documented thefts within the City of Garden Grove and the safety zone (See Appendix H). The theft incidents documented in table eleven include petty and grand thefts other than those classified as robbery, burglary, or auto theft.

Table eleven shows a decline in theft incidents in the City of Garden Grove with 5,442 incidents documented for 2004-2005 and 5,092 incidents documented for 2007-2008. Based on this information, the City of Garden Grove had a crime rate decrease of 6.5% with regards to theft. The safety zone on the other hand had an increase of 3.6% as

there were 116 incidents documented in 2004-2005 and 119 incidents documented in 2007-2008.

Table twelve represents incidents of auto theft documented in the City of Garden Grove and the safety zone (See Appendix H). Both the citywide and safety zone incidents show a decline in auto theft incidents. The city of Garden Grove documented 2,059 incidents in 2004-2005 and 1,214 incidents in 2007-2008. The crime rate decrease for the city with regards to auto theft was 41%. The incidents of auto theft in the safety zone decreased from 75 in 2004-2005 to 28 in 2007-2008. This represents a crime rate decline of 63% in the injunction area post injunction implementation.

CHAPTER FIVE

DISCUSSION

Summary of Results

The crime documented in the cities of Santa Ana, Ca. and Garden Grove, Ca. from January 1, 2004 to December 31, 2008 raise some interesting questions for further research regarding gang injunction effectiveness. The researcher believed that the implementation of a gang injunction would have one of two effects. Although the researcher hypothesized that the introduction of a gang injunction would lower crime in the safety zone at a rate greater than that of the city as a whole, it is also possible that a gang injunction would have no effect on crime.

In reviewing the reported crimes of Homicide, Rape, Robbery, Assault, Burglary, Theft, and Auto Theft, the researcher found that there appeared to be a definite effect on crime within the safety zone in the city of Santa Ana.

Robbery and auto theft are crimes commonly committed by gang members. With regards to robbery, the City of Santa Ana had a crime rate increase of 25.5% post injunction. The safety zone also had an increase in robbery post injunction

however the increase was 17%, over 8% lower than that of the city as a whole. Auto theft is a crime frequently committed by the Santa Nita criminal street gang (Launi, 2006). The City of Santa Ana had a crime rate decrease in auto theft of 47.7% post injunction, while the safety zone had a decrease of 50%.

The last two crimes examined by the researcher were theft and burglary. Theft in the City of Santa Ana declined 17.6% post injunction, while the safety zone declined 25%. Burglary was the most interesting of the crimes examined by the researcher for the safety zone in the City of Santa Ana. The City of Santa Ana had a decrease in burglary of 13.3% post injunction. The safety zone on the other hand had a drastic decline in the burglary rate of 37.5%.

There was only one crime which increased in the safety zone while the city crime rate declined. This crime was assault. The city of Santa Ana as a whole had a crime rate decline of 29% post injunction, while the injunction area had an increase of 5%. Other than in assaults, the crime in the safety zone declined at a greater rate than the city as a whole. The city of Santa Ana had a crime rate decline in rapes of 11% post injunction while the injunction area had an astounding decline of 38.5%.

Overall it appears that the Santa Nita gang injunction had a positive effect on crime in the safety zone. For all crimes studied, the safety zone had a crime rate decline greater than that of the city as a whole. The only exception to this was in the case of assaults where the safety zone increased while the city overall declined. For crimes such as robbery where both the city and the safety zone increased, the safety zone increased at a lower rate when compared to the city as a whole.

The results for the safety zone within the City of Garden Grove however are not as promising. The reported incidents of rape in Garden Grove remained consistent post injunction; however there was an increase of 40% in the safety zone. When reviewing robbery, the researcher found that Garden Grove experience an increase of 21% post injunction. The safety zone however experienced an increase of 43%, nearly double.

Burglary was also found to have increased at a greater rate in the safety zone. Garden Grove experienced an increase of burglary of 17% while the safety zone experienced nearly double the increase at 32.5% post injunction. Theft was even worse as Garden Grove had a

decrease of 6.5% overall while the safety zone had an increase of 3.6% post injunction.

The only two offenses which appeared promising in Garden Grove with regards to the Santa Nita gang injunction were assault and auto theft. The decline in assault within Garden Grove post injunction was 27.1% while the decline in the safety zone was 49.3%. Auto theft in the safety zone also declined at a greater rate when compared to the city as a whole. Garden Grove experienced an auto theft decline of 41% post injunction throughout the city, while the safety zone had a decline of 63%.

There are several possible explanations to the differences between Garden Grove and Santa Ana regarding the success of the Santa Nita gang injunction. The first issue is that of gang member identification. The gang members listed on the gang injunction are for the most part from the City of Santa Ana. These gang members are more commonly known to officers of the Santa Ana Police Department than the Garden Grove Police Department. As officers of the Santa Ana Police Department began strict enforcement of the injunction within the safety zone, crime from the gang could have been displaced into the City of Garden Grove where the gang members were not as known to

police officers. This would allow the gang members to commit crime without being readily detected or identified.

A second possible issue could have come with the enforcement of the injunction. The injunction was written and obtained by the Santa Ana Police Department. The Santa Ana police officers could have engaged in stricter enforcement of the injunction than the Garden Grove Police Department as they had a greater interest in the injunctions success. The City of Santa Ana used overtime, grant funding, etc. to enforce the injunction whereas these funds were not available to the City of Garden Grove for strict enforcement.

The third possible explanation is the existence of another gang. The injunction area within the city of Garden Grove is also claimed by a Garden Grove criminal street gang called Hard Times. This gang was recently served with a gang injunction by the City of Garden Grove; however this injunction was not in place during the time period studied by the researcher. Some of the crime within the safety zone in the City of Garden Grove could have been committed by members of the Hard Times gang rather than members of the Santa Nita gang.

These are three possible explanations for the drastic differences in success experienced by the two cities in this study.

Policy Implications

Based on the information obtained through this study, it appears that enforcement planning is essential when a gang injunction area spans two or more cities. When a gang injunction area or safety zone is within a single city, the enforcement of the injunction is more basic and the city can develop its game plan for enforcement of the injunction, tracking members on the injunction, and documentation of criminal offenses. The enforcement of a gang injunction becomes more difficult when the injunction area spans between two or more cities as each individual agency has different policies and procedures.

In order for the injunction to be a complete success, both agencies must be on the same page with enforcement. The injunction enforcement must be a top priority for both the originating city such as Santa Ana in this case and the supporting city such as Garden Grove in this case. If the supporting city does not enforce the injunction as strictly

as the originating city, displacement may occur as possibly did with the Santa Nita gang injunction.

If both agencies are on the same page with the enforcement of the injunction and the information collected regarding crime, arrests, etc. are centrally collected and shared frequently between the two agencies this researcher believes that gang injunctions can serve as a valuable tool in reducing gang activity and violent crime within not only a specified safety zone, but within the city as a whole.

CHAPTER SIX

CONCLUSION

The Santa Nita gang injunction was obtained in 2006 by the Santa Ana Police Department with the hopes of stopping or at least decreasing the activity of a violent criminal street gang called Santa Nita. Santa Nita has been present in the City of Santa Ana in one way or another for decades. The gang commits various criminal offenses from drug sales and auto theft to robbery and murder.

The researcher's objective with this study was to provide the reader with a background on criminal street gangs, their activities and responses by the criminal justice system. The researcher hypothesized that the introduction of a gang injunction into a gang territory would decrease gang related crime. The gang injunction studied by the researcher was difficult as the safety zone of the injunction laid in two different cities, Garden Grove and Santa Ana. This required the researcher to divide the injunction area and analyze its effectiveness based on crime data from two separate cities.

In examining crime data for the cities of Garden Grove and Santa Ana as a whole and within the safety zone of the

injunction, the researcher found some interesting contrasts in the effectiveness of the gang injunction. The safety zone within the city of Santa Ana appears to have been a success. The crimes studies showed a decline in the crime rate greater than that of the city as a whole, or when the city crime rate increased as a whole for a specific offense, the safety zone increased at a lower rate.

Assault was the only offense in which the increase in the safety zone was greater than the city as a whole. Interesting, assault and auto theft were the only two offenses in the safety zone within the City of Garden Grove that decreased at a greater rate than the city as a whole. For all other offenses studied, it appeared without question that crime in the safety zone increased at a greater rate than the city as a whole.

It appears based on this information that some displacement may have occurred due to strict enforcement by the Santa Ana Police Department. This strict enforcement appears to have possibly pushed Santa Nita gang members from the three districts of the injunction area in the City of Santa Ana into the two districts of the injunction area in the City of Garden Grove to commit crime. Although this can not be known for certain it is a definite possibility.

In conclusion, the researcher credits the Santa Ana Police Department for their dedication towards dealing with a violent criminal street gang using a method other than the usual pedestrian check and extra patrol. There are some adjustments to be made with the injunction in order to ensure even enforcement between the two agencies however with the majority of the injunction area falling within the City of Santa Ana and the crime in the injunction area having a greater decrease in crime than the city as a whole, this researcher concludes that the Santa Nita gang injunction was a success in reducing crime within the Santa Nita gang territory.

Future Directions

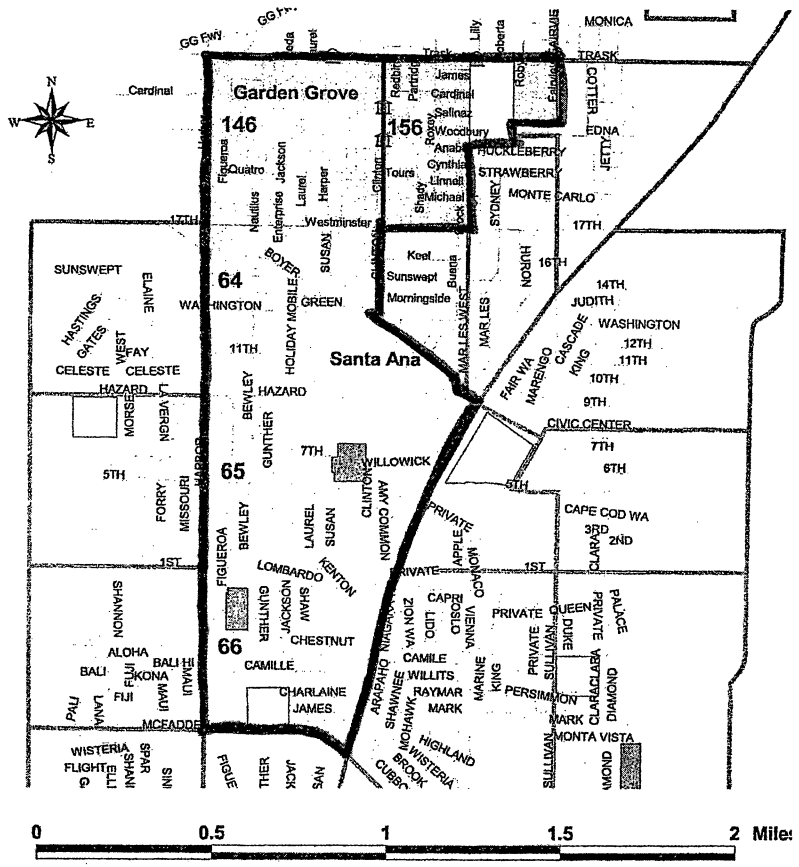
The Santa Nita gang injunction is unique as the safety zone spans two cities while most gang injunction safety areas are located within a single city. One of the benefits of this evaluation is that the researcher was able to identify some possible issues with the enforcement of gang injunctions when two separate cities and police agencies area involved and the necessity for agencies to work together in enforcing injunction in order to lessen the




possibility of displacement and increase the level of success.

Future research regarding this gang injunction and other gang injunctions should control for displacement of the gang from one area to another and include more thorough crime data in order to increase the ability of the researcher to determine the significance of the changes in crime rate through statistical analysis and whether each crime studied was in fact committed by a member of the gang served with the injunction.

One point of interest in future evaluations of the Santa Nita gang injunction would be what the cities of Garden Grove and Santa Ana did in working together to enforce the injunction, the types of enforcement which occurred within their respective injunction areas, and any funds obtained by the Santa Ana Police Department to enforce the injunction and whether these funds were used in all areas or solely in the safety zone within the City of Santa Ana. This study suggests that gang injunctions are effective in reducing gang crimes within a gang neighborhood however more research is needed.

APPENDIX A
SAFETY ZONE



-  Injunction Area
-  Park
-  School

APPENDIX B

CRIME DATA

AREA	HOMICIDE	RAPE	ROBBERY	ASSAULT	BURGLARY	THEFT	AUTO-THEFT
GG/I/04	0	1	4	20	20	67	23
GG/I/05	1	2	11	14	17	49	52
GG/I/06	1	3	13	15	19	53	19
GG/I/07	0	2	11	8	25	60	18
GG/I/08	0	3	15	13	29	59	10
SA/I/04	0	9	12	22	36	51	76
SA/I/05	0	4	31	13	44	34	86
SA/I/06	1	6	34	17	36	35	73
SA/I/07	1	6	36	23	35	40	51
SA/I/08	1	2	16	14	15	24	30
GG/O/04	10	33	174	441	774	2,851	948
GG/O/05	6	22	229	488	803	2,591	1,111
GG/O/06	9	29	247	410	715	2,665	785
GG/O/07	8	35	262	340	866	2,638	648
GG/O/08	3	20	248	338	828	2,454	566
SA/O/04	26	73	565	1,195	1,238	5,442	3,226
SA/O/05	17	74	644	1,110	1,194	5,515	3,583
SA/O/06	26	73	787	1,112	1,074	4,956	2,600
SA/O/07	23	65	779	1,080	1,013	4,684	2,100
SA/O/08	30	66	842	788	1,097	4,348	1,535

GG=GARDEN GROVE SA=SANTA ANA I=INJUNCTION O=OVERALL

APPENDIX C

SANTA ANA RAPE AND ROBBERY

Table 1: Santa Ana Rape

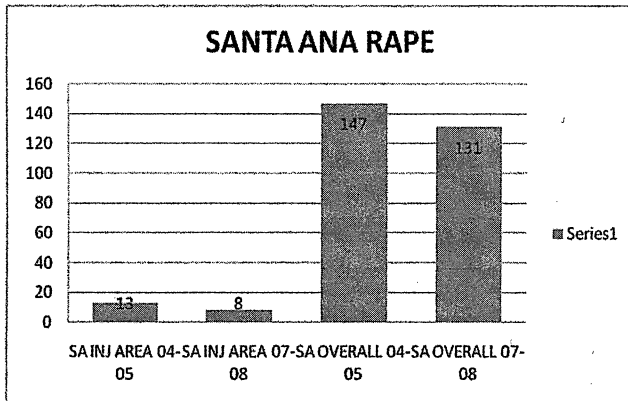
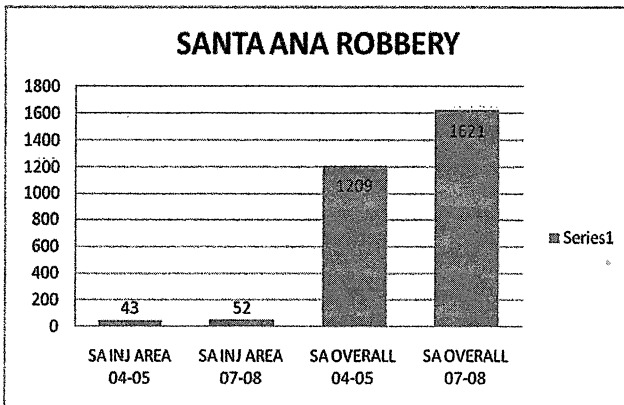


Table 2: Santa Ana Robbery



APPENDIX D

SANTA ANA ASSAULT AND BURGLARY

Table 3: Santa Ana Assault

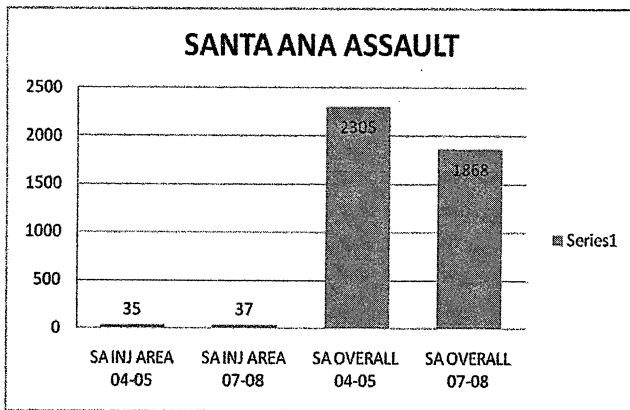
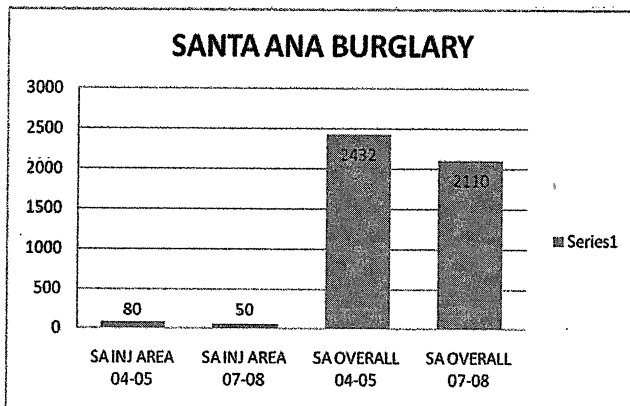


Table 4: Santa Ana Burglary



APPENDIX E

SANTA ANA THEFT AND AUTO THEFT

Table 5: Santa Ana Theft

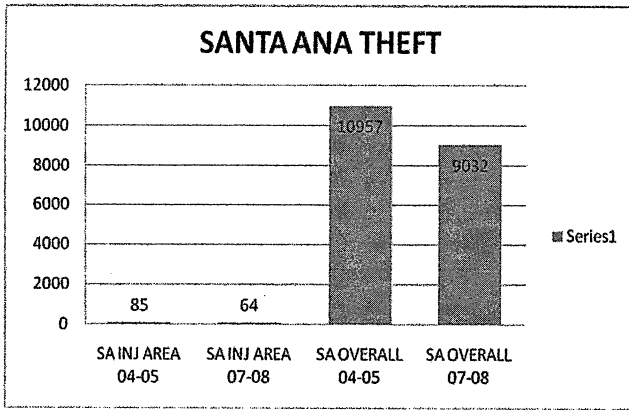
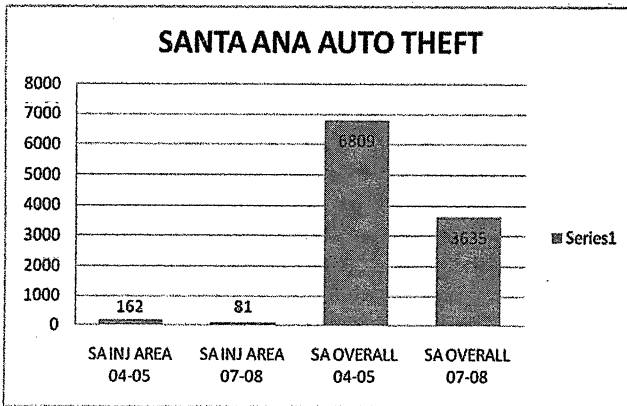


Table 6: Santa Ana Auto Theft



APPENDIX F

GARDEN GROVE RAPE AND ROBBERY

Table 7: Garden Grove Rape

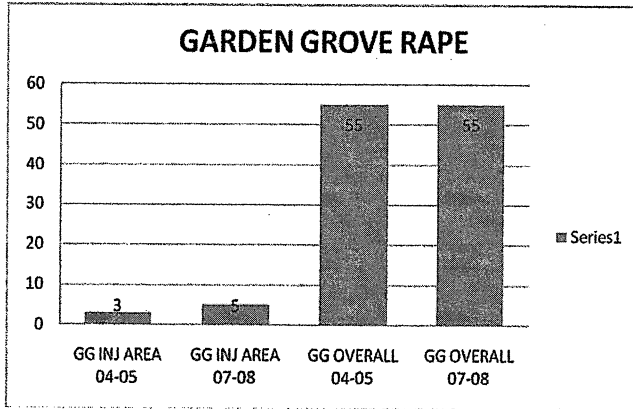
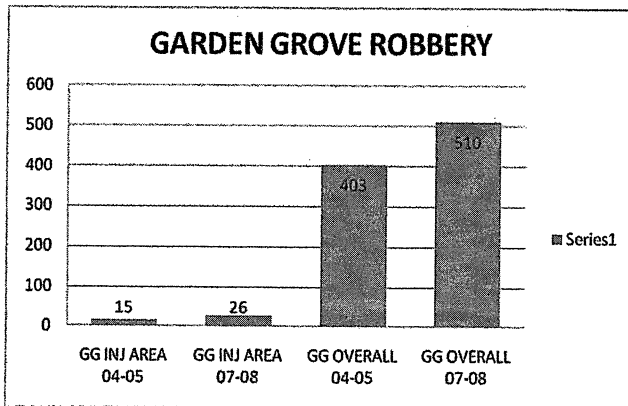


Table 8: Garden Grove Robbery



APPENDIX G

GARDEN GROVE ASSAULT AND BURGLARY

Table 9: Garden Grove Assault

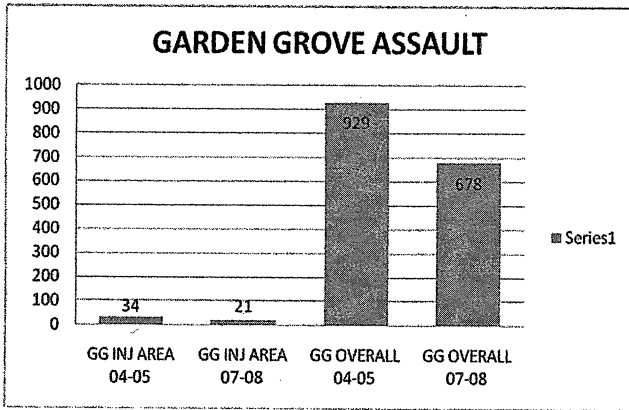
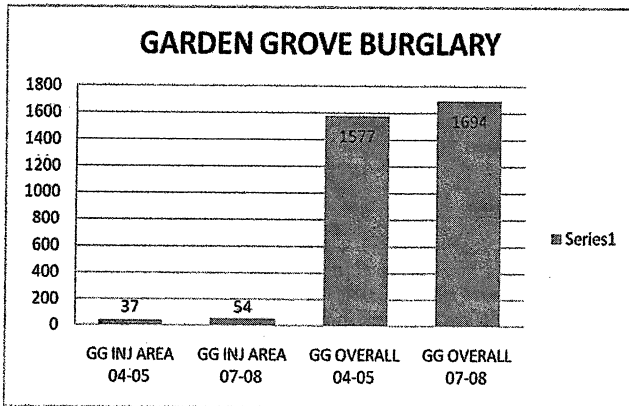


Table 10: Garden Grove Burglary



APPENDIX H

GARDEN GROVE THEFT AND AUTO THEFT

Table 11: Garden Grove Theft

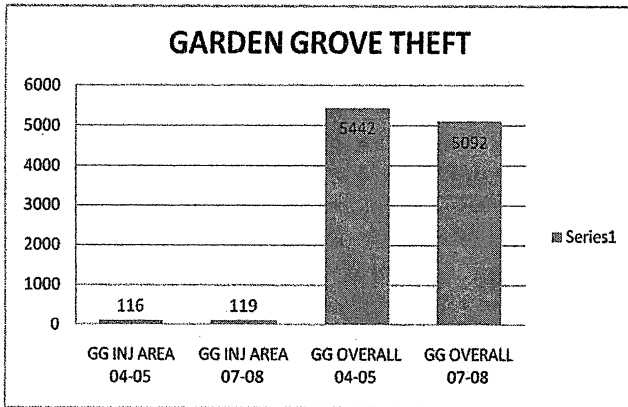
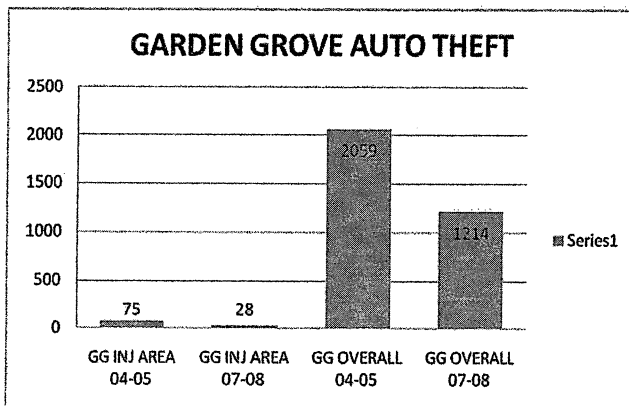


Table 12: Garden Grove Auto Theft



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