

Long Beach Press Telegram

Do gang injunctions work?

80% of targeted gang members continue to commit crimes, but officials say the court orders are a useful tool

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Saturday, November 15, 2003 - LONG BEACH -- Gang injunctions, an increasingly popular but controversial method of combating street gangs in cities across the country, have failed to persuade most of the targeted gang members in Long Beach to halt their criminal behavior, according to a study by the Press-Telegram.

The injunctions are court orders intended to prohibit named members of gangs from engaging in a litany of criminal and nuisance behavior within specific neighborhoods.

"This is the beginning of disarmament," City Prosecutor Tom Reeves declared two years ago in announcing an injunction against the East Side Longos, the city's third gang injunction and the first prepared by Reeves.

"We will take the guns out of the hands of the East Side Longos first ... and we will have peace on our streets," Reeves said.

Yet, nearly 80 percent of the gang members named in that injunction, and in a 1997 order against members of the West Coast Crips, have been convicted of at least one crime since the injunctions were imposed, the Press-Telegram found.

More than half of those convicted committed crimes in the injunctions' target neighborhoods, indicating that gang members neither ended their criminal acts nor moved away after being served with court orders to do so.

The newspaper also found:

- The issuing of injunctions in the two areas studied was not always followed by a reduction in violent crime. While the West Coast Crips area in West Long Beach experienced a drop in crime the first year after an injunction was imposed, the East Side Longos area in Central Long Beach saw a marked increase in both aggravated assaults and robberies during the corresponding period.
- Gang injunctions aren't enforced uniformly. Long Beach police detectives use discretion when deciding whether to make arrests for injunction violations, and some detectives prefer to use the court orders as negotiating tools to gain information on the streets, rather than as grounds for arrest.

- Many residents in injunction areas report improvements in their neighborhoods but say they cannot credit injunctions alone, because other neighborhood projects and crime-fighting programs began around the same time.

Reeves, who has now written two of Long Beach's four injunctions, says he is disappointed with the findings . but not alarmed.

"The fact that (gang members) continue to offend does not surprise me because it's exactly that kind of conduct that the injunction is trying to stop," he says. "Do I think the injunction is going to stop them? No ... It's not the answer; it's a tool."

How they work

Injunctions, which originated two decades ago in East Los Angeles, prohibit illegal activities, such as drinking in public, vandalizing property and selling drugs, as well as certain legal activities, such as using hand signs and gathering in public with other gang members.

Prosecutors draft injunctions to target specific gang members, using police reports and court records to prove a person's gang membership and history. Once a judge issues a court order, those caught in violation can be charged with contempt of court, a misdemeanor carrying a first-time sentence of a few days in jail and a fine.

The American Civil Liberties Union has long criticized injunctions for prohibiting people from engaging in otherwise legal activities. Some critics say the injunctions are unfair, inaccurate and even racist.

Yet injunctions have gained widespread popularity in big cities across the country. Long Beach, home to more than 6,000 gang members, has four injunctions in place: against the West Side Longos (1995), the West Coast Crips (1997), the East Side Longos (2001) and the Insane Crips (2003). A fifth injunction . which will again target the West Side Longos . is on the way.

Los Angeles, with an estimated 800 gangs and 56,000 gang members, has implemented 17 injunctions. The first to gain national attention . against the Playboy Gangster Crips in 1987 . proved politically popular. The man who issued it, Los Angeles City Attorney James Hahn, is now the city's mayor. Police and prosecutors in Los Angeles and Long Beach say the injunctions are effective tools for battling violent crime, and that their ability to curb nuisance activity has been felt countywide. But the opinions are based largely on anecdotal evidence. Despite the nation's 20+ years of experience, experts say they know relatively little about the injunctions' potency, cost-effectiveness or long-term impacts.

"Prosecutors aren't doing community surveys," says Malcolm Klein, a professor emeritus of criminology at the University of Southern California. "They aren't doing careful criminal analysis of arrest records, not comparing before and after crime rates. ... Accountability is very low."

Long Beach Police Chief Anthony Batts says he supports the use of gang injunctions, but even he is unconvinced that they are accomplishing all they should.

"I can't sit here and tell you that I'm 100 percent behind it or 100 percent not behind it until I sit down and look at the results and see if it's making an impact or not," he says.

To measure the impact, the Press-Telegram analyzed the criminal records of 42 gang members, whose names appeared in a pair of gang injunctions, and conducted numerous interviews with police, residents and gang experts about their observations and experiences.

Of Long Beach's four injunctions, the latest, against the Insane Crips gang, was too recent to analyze results. And crime data for most people cited in the first injunction, against the West Side Longos, could not be located.

So the Press-Telegram analyzed the second and third injunctions, against the West Coast Crips and the East Side Longos.

Criminal history

The analysis found that of 19 West Coast Crips whose criminal histories could be tracked, 15 . or 79 percent . have been convicted of crimes since the injunction took effect. Eight of the 15, or 53 percent, have been convicted of crimes committed in the target area. (The injunction covered 21 people, but records for two of them could not be found.)

Of the 23 men named in the East Side Longos injunction, three were imprisoned at the time and have yet to be released, so the injunction has not affected them at all. Of the remaining 20, 16 . or 80 percent . have committed offenses since the injunction. Eleven of those offenders . 73 percent . did so in the target area.

Today, 10 of the men named in the two injunctions are serving state prison terms, four have been recently released from prison, and three are in the custody of the Los Angeles Sheriff's Department, awaiting trial. Many of the others are on probation or parole. Most of those whose whereabouts are known still live in Long Beach.

Of the 31 named gang members who were convicted of crimes since the injunctions, seven have been convicted of violating the injunction at least once. The rest have been convicted of other crimes, ranging from traffic offenses to drug sales to robbery.

That gang members tend to stick close to their territory, with or without an injunction, makes sense to gang experts.

"Most gangs, as you well know, have their own turf," says Robert Walker, a former law enforcement officer and expert witness on gangs who runs a Web site called "Gangs or Us" from his home in South Carolina. "An injunction, or a court order of any sort, is not going to cause them to leave the area where they feel safe."

Violence continues

Unfortunately, that feeling of safety isn't shared by other residents of the injunctions' targeted neighborhoods. In the East Side Longos area, violence continues to claim a seemingly endless stream of innocent victims:

- On Oct. 19, Cambodian-born Marine Lance Cpl. Sok Khak Ung, just back from the war in Iraq, was gunned down, while barbecuing at his father's home near Seventh Street and Orange Avenue . the epicenter of East Side Longos territory. A friend, Vouthy Tho, also was killed.

Ung had earned a Purple Heart in Iraq and aided in the rescue of Army Pfc. Jessica Lynch. Police say his killer may have been a gang member.

- Five days earlier and just eight blocks away, Francis Joel Rivers, a 26-year-old father who struggled with multiple sclerosis, was murdered in a drive-by shooting on the front lawn of a home in the 1400 block of Cerritos Avenue. The shooting is believed to have been gang-related, but police say Rivers was not a gang member.
- And in June, a schoolteacher named Patricia Anne Miller was killed and her son wounded as they drove to a coin laundry near 15th Street and Alamitos Avenue. Miller's suspected killer, Melvin James Jones, is alleged to be a member of a predominantly Cambodian gang. He was arrested and is now awaiting trial.

In the first full year after the East Side Longos injunction took effect, most types of violent crime rose. The number of robberies grew 25 percent, to 291 in 2002 from 218 in 2001. Aggravated assaults rose 6 percent, to 341 from 319. The number of rapes went to 19 from 18, and the number of murders stayed the same: 11.

Still, crime statistics are fallible, affected by any number of factors that contribute to the ebb and flow of criminal activity.

Jeffrey Grogger, a professor in UCLA's Department of Policy Studies, published the county's best-known and oft-quoted study on the effectiveness of gang injunctions. He says the crime statistics in the East Side Longos area do not necessarily mean the injunction has failed to reduce violent crime.

"It's possible . it's conceivable . that despite the increase that you observe in Long Beach, crime would have been higher anyway if the injunction would not have been imposed," he says.

Reeves agrees.

"How many assaults didn't happen?" he asks. "How many batteries didn't happen? It's hard to gauge, and there are so many, many ingredients that go into crime statistics."

Grogger's study, which looked at 14 gang injunctions implemented in Los Angeles, Pasadena and Long Beach between 1993 and 1998, determined that injunctions lowered violent crime by an average of 5 percent to 10 percent in the year after they were implemented.

Indeed, the West Coast Crips injunction . which was part of Grogger's study . was followed by a dip in violent crime during that time period. In 1997, there was one murder, one rape, 18 robberies and 33 aggravated assaults. In 1998, there were no murders, one rape, eight robberies and 31 aggravated assaults.

Based on anecdotal evidence, Reeves says he strongly believes the injunctions have led to a drop in nuisance activities, such as vandalism and drinking in public.

"I don't see as many complaints about gang bangers congregating," he says. "I see a reduction in the amount of tagging incidents."

Feeling safer

Some residents interviewed say they, too, have noticed changes in their neighborhoods since the injunctions took effect.

Michelle Arend-Ekhoff, a teacher who lives at Eighth Street and Orange Avenue, in East Side Longos territory, says things were worse two years ago, before the injunction was introduced.

"There was a lot of congregation of gang members," she says. "I see a lot less of that, and I see a lot less graffiti."

Westside residents say the West Coast Crips injunction seemed to make their area safer, too.

"Before they put this gang injunction in, you wouldn't find someone in Silverado Park at night," says John Cross, past president of the West Long Beach Association. "Now, you see people playing basketball, picnicking, playing."

But most residents and activists say a number of factors played into those neighborhood improvements.

Marcia Rhone, a community policing coordinator for the Long Beach Police Department, says gang activity was attacked on a number of fronts at the time, and that injunctions were one important piece.

"You needed the injunction," she says. "You needed nuisance abatement. You needed community policing teams. You needed the residents themselves. Those four working together made a big difference."

Arend-Ekhoff says she and her neighbors had something to do with the safer streets in her neighborhood, too. They founded "Neighborhoods Organized for a Safer Environment," for example, to clean up the area and improve property values.

"I can't necessarily credit (all the improvements) to the injunction," she says.

Andy Whallon, manager of the El Capitan Condominiums Complex, on Santa Fe Avenue in West Long Beach, says residents there saw lots of gang activity in the 1990s, and the 1997 injunction did almost nothing to stop it.

In 2000, police received 710 service calls from the building . almost two a day, Whallon says.

Things have changed dramatically at the El Capitan since then, he says, but it was his own security measures . installing lights in the alley, hiring a security guard and spending more hours on site . that did the trick. Last year, the complex logged 336 calls for service, he says.

Part of the difficulty in assessing the effectiveness of gang injunctions is that their success tends to shift over time and vary from location to location, some experts say.

There are neighborhoods in Los Angeles where gang members have all but disappeared as a result of injunctions, Grogger says. The very act of serving the court orders . putting gangsters on notice that they were being watched . was enough to win instant results.

But other areas, Grogger says, are more impervious to change.

"The response to these gang injunctions seems to be as heterogeneous as the areas where they're imposed."

L.B. boundaries porous

LBPD Cmdr. William Blair agrees, adding that the way gangs operate affects how the injunctions will work against them.

In Long Beach, where gangs tend to be more racial than territorial, it's more difficult to keep track of them, Blair says, and more difficult to catch them in the target areas.

Unlike in Los Angeles . where gangs are often rigidly tied to certain blocks . local gang members and their families often live in rental apartments, and they tend to move frequently, Blair says. Also, the neighborhoods are some of the most racially diverse in the country, so territorial boundaries stay relatively porous.

"It's more transient," Blair says of the gang population. "Quite honestly, we find that they are all over the place."

About two dozen gang detectives are on Long Beach's streets on any given night, Blair says. They are the only officers trained to enforce the injunctions. With more than 40 gangs, 6,000 gang members and 50 square miles to cover, he says, the odds of catching someone violating an injunction are stacked against the officers.

Still, Blair says, it happens . and he believes strongly that, overall, injunctions are a positive force in communities.

Enforcement

So far, four members of the East Side Longos and three members of the West Coast Crips have been convicted of contempt of court for violating an injunction.

Others on the injunction lists have been caught but charged with more serious crimes, rendering a contempt-of-court allegation meaningless.

And some, police detectives acknowledge, are caught but not arrested. Detectives say they get more mileage from the gang injunctions by using them as a negotiating tool to gain information on the streets. Such information can help officers connect gang members to each other, find out what battles are heating up and even solve murders, they say.

That concept slightly rankles Cheryl Maxson, an associate professor in the Department of Criminology, Law and Society at UC Irvine. She says it's hard enough to decipher how injunctions perform without having enforcement vary from one jurisdiction to the next.

"If an injunction is not strongly implemented," she says, "then, logically, you have a hard time associating outcomes with that intervention."

Whether gang injunctions have lost some of their clout through the years is another matter of debate.

Reeves says injunctions are constantly evolving to accommodate changes in gangs and changes in the law, and that he has no intention of letting up on the pressures that injunctions place on gang members . as long as his budget allows.

While today's gang injunctions are more tightly written, heavily documented and resistant to constitutional challenge than in previous years, some . including Chief Batts . say they may have worked better in the early years, when they caught gangsters off guard. Now, the gang members know what the injunctions do, how they work and how to undermine them.

"What we do today will be antiquated tomorrow," Batts says. "Guys working on the street are extremely creative. You find a mousetrap, and they find a loophole in that mousetrap."

He says he wouldn't be surprised if injunctions become obsolete someday.

"It will only be good for a finite amount of time," he says. "Someday, we will have to change our tactics."

Tomorrow: How gang detectives do their jobs, with or without injunctions.