



# **SEVENTH STREET INJUNCTION**

## **ABSTRACT**

**SAN BERNARDINO POLICE DEPARTMENT  
SAN BERNARDINO, CALIFORNIA**

## ABSTRACT

The San Bernardino Police Department became aware of a growing gang problem in a particular area of our city. We noticed that a Hispanic Street gang had been increasingly committing crimes within an approximate two square mile area on the west side of the city. While the crimes started out more as nuisances than significant problems, the violence and severity of the crimes steadily increased in the two years prior to the implementation of this project.

In analyzing the crime we found that while the crimes committed and the calls for service started with minor incidents, such as, noise complaints, thefts and loitering, the severity of the crimes increased. The gang members graduated into doing auto thefts, narcotic sales, carjackings and even homicides.

We also analyzed the previous responses that were enacted in order to stop the gang members from committing crime. We found that numerous attempts to control the gang through saturation patrols, have had very little long-term impact on the problem.

Consequently, we expended vast resources on reacting to the crimes that were committed. The crimes committed by the gang created a drain on our resources. We were forced to commit much of our limited manpower in a very small geographical area, an approximate two square mile area, of our approximately seventy-five square mile city.

We decided that we needed to take an innovative, non-traditional approach to resolving this problem. We had heard that other agencies had attempted to get injunctions against gang members to keep them from consorting and committing crimes in their turf area.

We began to research if an injunction against the Seventh Street Gang would benefit us. We contacted other agencies that had attempted to get injunctions. We tried to learn from the mistakes that they made and to evaluate court decisions on injunctions of this type to overcome the potential barriers to enacting an injunction against the gang.

Armed with this new knowledge we drafted an injunction, with the assistance of the City Attorney's Office that we believed would be successful at having a long-term impact on this problem

This success of this injunction was only possible because of the commitment of all of the agencies involved, to work together synergistically, toward a common goal. In addition, we would not have gained the success if not for the citizens who were willing to risk their personal safety to become involved in the community problem solving process.

# **SEVENTH STREET INJUNCTION**

## **PROJECT DOCUMENT**

**SAN BERNARDINO POLICE DEPARTMENT  
SAN BERNARDINO, CALIFORNIA**

# SEVENTH STREET INJUNCTION

## SCANNING

We began to notice a gang problem within a small geographical area within the City of San Bernardino. San Bernardino is currently seeing third and fourth generations of Hispanic street gangs. These street gangs continue to thrive with the public, law enforcement and rival gangs as their targets. We have identified one such gang, the West Side Verdugo Seventh Street Gang, as a major contributor to crime in the City of San Bernardino. The Seventh Street Gang, which is a predominately Hispanic gang, resides in an approximate four block by 12 block area (roughly two square miles). This street gang has increased its ranks and criminal activity over the past several years. They completely dominate their turf without fear of the public, rival gangs or law enforcement's past efforts to stop them. They create blight through graffiti and vandalism, victimize citizens through the commission of their crimes and stifle the community through intimidation and fear. This gang is responsible for crimes ranging from repeated nuisance type violations to several murders. The crimes committed by this gang have affected citizens and local businesses by victimizing them, creating fear, causing revenue loss to the businesses and causing residents to flee the area. These crimes have impacted all of the approximate five thousand residents in the target area.

The criminal activity of this gang has affected the police department by generating a high number of calls for service within the target area. This in turn has caused the police department to expend large amounts of its limited resources in reacting to the crimes committed by this gang. In addition, the crime has impacted neighboring police agencies as these gang members perpetrate their crimes in neighboring jurisdictions

The crime has impacted area schools causing further problems with campus safety, truancy and student retention.

While gathering data, it was learned that the Seventh Street Gang members were responsible for an extraordinary amount of police and city services used to curb the gang's activities. Requiring more attention than all the other local street gang's activities combined. The gang's activities have escalated in both violence and occurrences the twelve months prior to implementation of this project. Over the past several years more than three hundred Seventh Street Gang members have been identified. Of these three hundred, sixty-seven current members have been identified as the most active and violent members. These sixty-seven members were arrested just under three hundred times in a two square mile area they claimed as their turf. The arrests have included thefts, assaults, and several murders. In addition, there have been numerous police responses, not resulting in arrests, both in our city and in neighboring jurisdictions.

The Seventh Street Gang was recognized as a problem by a members of the MET team (swat / gang suppression unit), officers within the department, area residents, local businesspersons,

community leaders and the police department administration. The problem was identified through gang suppression activities, crime analysis and information gained through community members. Sergeant R.C. Garcia took primary responsibility to spearhead this operation.

The need to address this problem was evident by the large amounts of resources being expended to react to the problem, as well as the need to improve the quality of life for the area residents, many of which have been long time residents of the target area.

## ANALYSIS

Upon researching the problem we observed repeated calls for service directly related to the Seventh Street Gang. We also had a high number of complaints from residents in the Seventh Street "target" area. Statistical data revealed an extremely high volume of patrol time / man-hours needed to assist with, respond to, and investigate Seventh Street Gang crimes and related issues.

We began by analyzing our data collected from crime analysis, area patrol officers, citizen interviews and information collected by the MET team. Neighborhood surveys and canvases were completed with the results evaluated to form T.A.P.'s (Tactical Action Plans). Numerous interviews with area residents, many of them the victims of Seventh Street Gang crimes, interviews with the Seventh Street Gang members themselves, both as suspects and as victims of rival gang violence were completed, with the information used to develop our response. The Street Gang Investigator collected statistical data from the Crime Analysis Unit, the City



Attorney's Office and the District Attorney's office. Area patrol officers and Met officers collected data through field interrogation, gang member identification, personal observation and confidential intelligence sources. Crime analysis collected information on the area of greatest impact that could be directly tied to the Seventh Street Gang. We pooled information from computer data collection sources, field interrogations conducted by officers and by compilation of crime reports generated.

The problem has grown over an approximate two-year period prior to the implementation of the problem solving effort. The problems started with a few minor incidents and escalated in violence over the two-year period with significant increases being observed in the twelve months prior to implementation.

San Bernardino has Hispanic street gangs that go back three and four generations. The Seventh Street Gang was formed in the late 1980's and was far more organized than other gangs and they were far more violent and more of a threat than the loosely organized local street gangs. The number of Seventh Street Gang members has increased over the past several years, with as many as three hundred members identified. They have established a continued pattern of violence that has increased dramatically over the years despite law enforcement's efforts to stop them. Greed and an apparent drive for control of the neighborhood motivated the gang members. The gang members gained status within their group through the fear tactics that they employed on the area citizens. They also gained money through drug sales, stolen auto parts sales and pawning of stolen property.

The crimes committed against the citizens resulted in a crippling fear within the target area. Crimes were going unreported due to fear of gang retaliation. Residents became prisoners in their own neighborhoods due to fear of being victimized if they left their homes. The citizens clearly suffered physical and emotional harm as a result of the constant direct and indirect victimization. The citizens suffered direct victimization by gang members committing crimes against them and indirect victimization by the fallout (such as stray bullets) of other crimes the gang members committed.

Prior to the implementation of the Seventh Street Injunction the Met team who targeted these gang members along with their other duties did primary enforcement. Due to the high demand for their services, much of the enforcement was reactive rather than proactive.

The target area is primarily residential with businesses bordering the area. There are four major arteries in and out of the target area. The freeway borders the west side of the target area, with a main railroad thoroughfare paralleling the freeway. The target area includes schools, churches, businesses and single family residences.

Perhaps the most difficult aspect of coordinating this problem solving effort was gaining citizen cooperation. The citizens did not rebel against the police efforts to assist, but rather were intimidated into complacency. Citizens allowed crime to go unreported and did not want to be involved as witnesses. Citizens were afraid to be seen talking to police officers for fear of

retaliation.

Area residents and businesses have long been the victims of the Seventh Street Gang. We conducted a survey of the residents in the target area. The survey gathered by neighborhood contacts describes a feeling of helplessness and hopelessness. Most residents are fearful to report crimes committed by the gang due to fear of retaliation. The residents developed a lack of trust and faith in the police department's ability to alleviate the problem. Activities of the gang were becoming increasingly more violent through the years. Many of the crimes committed by the gang result in property loss, injury and death. Residents also describe a loss of civil rights, as they do not feel safe to leave their residences. The sixty-seven members identified as the most active use their violent actions and live on the violent reputations of their members both past and present, to intimidate and dominate their turf.

Many attempts on the part of civic leaders, area clergy and area residents to negotiate a truce of the Seventh Street Gang and rival gangs have all failed. Parole and probation sweeps have done little to curb the Seventh Street Gang activities. Patrol officers, officers assigned to the "gang unit" (MET) and county wide suppression teams use traditional saturation type patrol tactics to curb gang problems. This tactic did provide temporary relief of the gang violence, but as soon as the police pressure was lifted the illegal activities increased. Numerous gang awareness seminars were conducted at local schools, businesses and community groups, which did educate the public but did little to curb the gang violence and activities.

More than anything, the analysis revealed that the traditional way of addressing the Seventh

Street Gang problem did not work. It was apparent that past efforts of the community, the police department, District Attorney's Office and City Attorney's offices, other local agencies and city leaders did not adequately address the problem.

The analysis revealed the true extent of the Seventh Street Gang problem in the target area. It was also learned that many area residents simply accepted the gang members and their violence as acceptable or "normal" for the area. Many believed the problems were so deeply rooted that they could not be solved. They were right in one sense, the traditional way of solving the problems (primarily saturation patrol) did not work.

The gang members themselves identified the target location through their graffiti used to identify their turf, which was a warning meant to intimidate the public and rival gangs. The gang members were primarily committing crimes when they associated with other Seventh Street Gang members (hence the definition of a street gang: two or more persons who associate together, adopt similar clothing, adopt a name, to commit criminal acts.)

## RESPONSE

The analysis revealed that traditional policing methods had only minimal affect on the problem and may have exacerbated the problem. The gang members knew the system was limited and did not work. They developed a sense of self-confidence and machismo believing the legal system

had little effect on their actions.

Many responses were considered to resolve the problem. Proactive, zero tolerance approaches, gang rapport building approaches, citizen involvement approaches and civil / criminal action approaches were all considered.

Proactive and zero tolerance approaches (primarily saturation patrols) had been tried in the past with mixed results. While an impact could be made while the police action was present, when the program ended the problem would return. These approaches had little long-term impact.

The gang rapport building approaches did little to deter new members from joining the gang and convinced few members to leave the gang.

Community approaches were not as effective as they could be because of the fear of the gang.

Although some residents were involved in the process, because of the nature and history of gang problems and the fear of retaliation, most community meetings were conducted covertly.

Since the citizen's were afraid to become involved, we needed a fresh approach that would allow a long-term impact on the problems. We decided to utilize a court ordered injunction that would target the primary culprits and have a long term impact, by keeping gang members from consorting in the target area and criminally punishing those who violated the injunction.

The injunction itself is a civil process and could not have been attempted or completed without the support and assistance of the community.

We created an injunction that would prohibit known Seventh Street Gang members from consorting within the target area. We began by identifying all of the known gang members. We pooled information from prior contacts and we pooled information from gang members already identified. Upon contacting known or admitted gang members, we photographed and completed gang cards on each member. There was a total of approx. three hundred gang members identified.

Once the identification phase was completed, we identified the known problems in the target area. We analyzed the crimes committed in the target area and the level of Seventh Street Gang involvement in the crimes committed within the target area.

We began to meet with the City Attorney's Office to discuss the approach that we desired the implementation of the gang injunction. Initial meetings with the City Attorney were discouraging as they believed the injunction was too much work, for a misdemeanor. While the City Attorneys Office understands civil processes they did not understand street gangs and the disastrous effect they have on a community.

Eventually a City Attorney was assigned to the project who believed in the response and wholeheartedly invested her expertise to assist us. We worked directly with the City Attorney's Office

in drafting the affidavit and the court order. The order prohibited two or more known members of the Seventh Street Gang from congregating in the target area. It also prohibited these known gang members from enjoining in any criminal activity within the target area including, but not limited to, selling possessing and using narcotics, signaling to vehicles to stop, throwing rocks, bottles, bricks or any items at persons or animals, blocking passage of any person on the street or sidewalk, being present on anyone's property without prior consent, being present in or at abandon buildings, curfew violations, noise violations, fighting, drinking alcoholic beverages, urinating in public, littering, possessing any dangerous weapons, applying graffiti and standing, sitting or walking in the target area with other defendants.

As we explored the use of civil injunctions to restrain the Seventh Street Gang's activities. We tried to learn from other agencies that had attempted to enact similar injunctions. We wanted to learn from their successes and their failures to improve the effectiveness of our injunction when granted. We eliminated many of the sections that were challenged and lost in appellate court since the granting of other area injunctions. The "revolving door" legal system when dealing with misdemeanor was identified as a problem by some agencies, who believed the injunction was not effective.

Initial meetings with the District Attorney's Office were also discouraging, as they believed the injunction was "to much work" for a misdemeanor, but did commit to assist in the prosecution of the injunction if the restraining order was granted.

While working with the District Attorney's Office we were able to gain the support of one of the

Deputy District Attorney's who worked with us to solve this community problem.

Through meetings with the District Attorney's offices we proposed and subsequently received a bail enhancement on the injunction violators, therefore eliminating the "revolving door" problems described by other agencies.

The rights of the Seventh Street Gang members to associate with each other was an issue, but when compared to the rights of the area residents to live without fear of gang violence, there was no question that the injunction process was a start to resolving the extreme problems in the area.

Community values were also challenged. Many area residents accepted the gang members and trusted the Seventh Street Gang members to "police" the area over the police department.

The effectiveness of the injunctions was also in question. We were getting a mixed bag of results from agency to agency on the effectiveness of their injunctions. We did believe that we had eliminated any potential problems experienced by these agencies. Cost was not an issue at the time. It cost far more to deal with the problems caused by the Seventh Street Gang using the traditional methods of policing.

Resources as expected were limited. Most agencies have investigators assigned to working street gangs and it was not much more than organizing these agencies and opening the lines of communication. The injunction process is a relatively new process in dealing with gang violence and through numerous meetings we developed and gained the cooperation of these local agencies



we needed to complete the project. The following agencies were involved in the project; City Attorney, District Attorney Gang unit, Juvenile and Adult Probation, School Police, Police Patrol and Gang Investigators, Crime Analysis Unit, Detective Investigators and area residents.

One of the problems that had been previously identified by other agencies was that the courts were hesitant to grant such restrictive court orders and we would need to provide current and accurate information for the project. We started by searching gang files to establish a history of violence. We found that many of the Seventh Street Gang members were already on parole or probation, so we enlisted the help of both the Probation Office and the Parole Office for assistance in gathering intelligence information.

The information was forwarded to the City Attorney who addressed the legal challenges. The finished product was taken before the courts and a temporary injunction was granted.

We had never had a similar court order granted in our area and we had no one locally to turn as a resource in this relatively new approach to law enforcement.

The injunction was granted without challenge. Our injunction, at the time it was implemented, was the largest of this type in both geographical area - two square miles, and number of named defendants, sixty-seven.

Once the injunction was granted we needed to formulate a plan to serve all of the gang members with the injunction. There was a five-day "window" in which to locate and serve the defendants, many of whom went into hiding after hearing of the initial court order services to fellow gang

members. We began organizing teams of police personnel to assist in the service of legal paperwork to the sixty-seven named defendants on the civil injunction. We were also able to gain information from the citizens on where we could find gang members who were in hiding.

## ASSESSMENT

As we began to assess the impact that the Seventh Street Gang Injunction has had on the community, we evaluated its impact on the residents in the target area, the impact it had on the police department (and other government services), neighboring jurisdictions and the impact it had on the gang members themselves.

We have found that this approach finally worked as a long-term solution to the gang and crime problem within this segment of our city. We have observed a significant positive impact on the police department resulting in a drastic reduction in the number of calls for service in the area. The numbers of arrests and crimes committed by the Seventh Street Gang have also significantly been reduced. In addition, the police officers are safer, by not having to be involved in as many high risk incidents perpetrated by gang members within the target area.

In our six-month audit we found that the number of arrests made of Seventh Street Gang members was reduced by approx. 80%. Many of the arrests that were made were for a violation of the injunction, with very few new crimes being committed.

In our one-year audit we found a 95% decrease in crimes committed by the Seventh Street Gang

within the target area. This resulted in the granting of a permanent injunction that makes it illegal for the gang members to consort or violate the law within the target area, with the same conditions as the temporary injunction. We will continue to monitor the area for effectiveness. At this point it appears that crimes committed by the Seventh Street Gang will continue to decrease. We will audit the results will annually for effectiveness.

Some of the gang members were displaced, but once out of their turf was not much of a threat. Some still reside in the area, but do not associate with other Seventh Street Gang members. This has also assisted other neighboring jurisdictions to realize a reduction in crime in their areas.

Upon sharing our success with our neighboring police agencies we have received calls from these police agencies for assistance with injunctions in their jurisdictions.

The District Attorney's Office has assisted us, as have the courts, by holding these gang members accountable for a violation of the injunction. A first offense of the violation of the injunction results in six months in jail. The penalties increase as the violations increase. This has impacted the area in the sense that if the gang members are incarcerated they cannot continue to commit crimes. The revolving door has stopped, as the District Attorney's Office has been successful at enhancing the bail for a violation of the injunction. Even though the crime is a misdemeanor, bail has been set at \$20,000, effectively eliminating the possibility of the gang member being cite released to commit more crime.

We received many phone calls from concerned citizens after the injunction was granted

regarding displacement of the Seventh Street Gang to their communities. Since the gang members have been displaced there have been no other noticeable increases in crime committed by the Seventh Street Gang members in any other area of the city or in any neighboring jurisdiction.

The citizens that live within the target area have also realized a significant positive impact. We have seen an increase in neighborhood pride. The citizens have expressed a renewed hope for their neighborhood and a renewed sense of faith in the police department. As a result the citizens are more willingly to get involved in the community with the problem solving process. The citizens report an improved quality life for them and their families. They no longer feel as though they are prisoners in their own homes.

We have also seen an improvement in the quality of life for the gang members and their families, as they are much less likely to commit criminal acts as a result of the injunction.

This project has resulted in substantial improvements in the quality of life for the citizens, improved police services, reducing the number of resources needed to provide a safe environment, reduced crime, reduced property loss, resulted in a reduction of cases that the District Attorney needs to prosecute and has resulted in a decrease of resources expended by other city services; such as blight control, graffiti clean up and property destruction.

## **E. AGENCY AND OFFICER INFORMATION**

Our problem solving effort was initiated by the command staff and modeled for the rest of the agency. Our department, under our current administration, has developed a problem solving approach to all that we do. The entire organization has been trained in effective problem solving. All members of the organization are expected to be actively involved in problem solving.

With the implementation of the San Bernardino Policing Model, we have developed initiatives to adopt solutions to problems within the community that we serve. One of the initiatives deals with gangs and drugs. As a result of our commitment to initiative management this project was developed.

This project was adopted and carried out department wide. Sgt. R. C. Garcia whose tireless efforts and perseverance paid off with the great success of this project spearheaded the project.

This project was adopted and supported by the administration, by committing the time and resources necessary to implement this plan. The resources committed, primarily consisted of utilization of on-duty personnel, which did not exceed normal budget guidelines. Sgt. Garcia was assisted by other MET officers, patrol personnel, and support personnel in carrying out the problem solving effort.

Our officers are rewarded for excellence in problem solving. We have recently incorporated a category of evaluation for problem solving on our annual evaluations. Those officers who actively engage in problem solving are rewarded by high marks in problem solving, which benefit all officers for promotional purposes.

The officers involved managed this effort through the initiative management matrix. We were able to use our problem solving manuals and community resource guides to support our effort.

The recent training in problem solving was essential in accomplishing our task.

**CONTACT PERSON;**

Sgt. R. C. Garcia

710 N. "D" St. San Bernardino, CA 92410

(909) 384-5742

[garcia\\_rc@ci.san-bemardino .ca.us](mailto:garcia_rc@ci.san-bemardino.ca.us)