


FACTS ON THE PLACENTIA AND LA JOLLA GANG INJUNCTIONS

For more information or to get involved, contact: Michelle Martinez - (909) 973-5483, Dolores Canales - (714) 290-9077, Martha Flores - (714) 610-3739 or Theresa Smith - 714-299-8121.



SAY NO TO PLACENTIA & LA JOLLA GANG INJUNCTIONS



REPORT TO THE COURT

Submitted to Judge Peter J. Wilson, Orange County Courthouse
700 West Civic Center Drive, Santa Ana, CA 92701 by
more than 300 residents of LaJolla and Placentia who
have united to oppose gang injunctions in our communities.



**THE PLACENTIA & LA JOLLA COMMUNITIES ARE NOT VIOLENT.
HISTORY HAS PROVEN THAT INJUNCTIONS ARE ABOUT
GENTRIFICATION* - NOT PUBLIC SAFETY!**



* Gentrification: a term for the arrival of wealthier people into an existing community, causing an increase in rents and cost of living, and changes in the community's character and culture as poorer - often multi-generational residents - are forced out.

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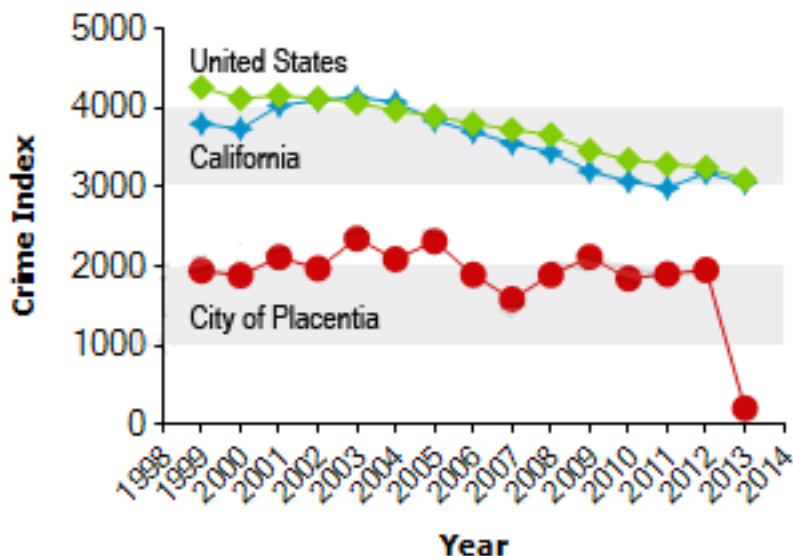
Community Residents Overwhelmingly Oppose the Targeting of Placentia for Two Gang Injunctions

Over the past month, a community movement has erupted in the City of Placentia expressing growing opposition to the Placentia and LaJolla gang injunctions. The movement is led by hundreds of community residents who have family roots in the community for generations, and who see no evidence for increased gang violence that would warrant such aggressive suppression tactics on the part of police and the Orange County Office of District Attorney Tony Rackaukas.

The two gang injunctions will be heard in court for the first time on Monday, November 16th, by Judge Peter J. Wilson.

The facts below shed light on the fact that Placentia is not a dangerous place to live, that gang injunctions create less stability in communities and exclude youth even more from essential community opportunities and resources, that gang injunctions lead to the displacement of long term residents, and that home and business owners also risk drops in property values and income when gang injunctions create a perception that a community is “crime infested.”

Drops in Crime U.S., California and City of Placentia



Crime is Dramatically Down in Placentia

While the U.S., California and Orange County have all experienced historic drops in crime, crime is down even more in the City of Placentia. The charts at the left depict crime levels that are at their lowest since the 1950's:

Graph one - top of the page at left - data from the U.S. Index shows that Placentia crime rates are not only less than half of that for California and the United States as a whole, but that the drops in Placentia are even greater than in the state and nation.¹

Graph two – on the next page – shows that the City of Placentia is listed with California's 50 safest cities – including Poway 28th safest and Rancho Santa Margarita second safest city in

California.² **Graphs three, four and five** – on the next two pages - list crimes in Placentia from 2001 through 2013 and also show that Placentia has had lower crime rates than either Huntington Beach or Beverly Hills.³

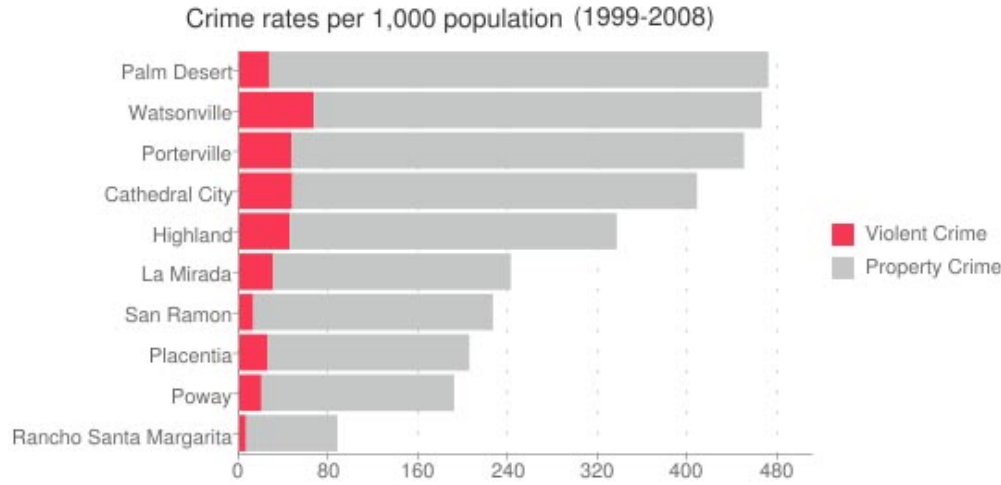
¹ U.S. Crime Index is based on raw crime data collected from all 17,000 law enforcement agencies in the United States. The data is then assigned from each of these law enforcement agencies to the specific local communities the agency covers, and hence in which community the crimes have occurred. The method provides law enforcement and other government agencies, real estate companies, developers and urban planners an accurate accounting of the complete number and types of crimes that occur within any locality (city or town), not just crimes reported by a single municipal agency. In other words, thousands of cities nationwide - both large and small - have multiple agencies with law enforcement responsibility. These include municipal police, county sheriff, transit police, campus police, public school police, park and port police, tribal police, and more. Unlike other crime data providers, the U.S. Crime Index – in the data provided here from neighborhoodscout.com and citydata.com - includes crimes reported by all of these agencies.

² FBI Crime Report, <http://www.safewise.com/blog/50-safest-cities-california/>

³ FBI Crime Report, <http://www.safewise.com/blog/50-safest-cities-california/>

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Crime rates in Placentia by year													
Type	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Murders (per 100,000)	1 (2.1)	0 (0.0)	1 (2.1)	0 (0.0)	3 (6.0)	1 (2.0)	1 (2.0)	1 (2.0)	1 (2.0)	0 (0.0)	1 (2.0)	1 (1.9)	2 (3.8)
Rapes (per 100,000)	1 (2.1)	3 (6.2)	6 (12.4)	1 (2.1)	8 (15.9)	3 (6.0)	1 (2.0)	4 (8.0)	5 (10.0)	5 (10.0)	2 (3.9)	4 (7.7)	6 (11.5)
Robberies (per 100,000)	21 (44.3)	25 (51.9)	36 (74.5)	40 (82.0)	30 (59.7)	26 (51.7)	19 (37.7)	29 (58.0)	23 (46.0)	23 (45.8)	25 (48.9)	29 (56.0)	16 (30.8)
Assaults (per 100,000)	113 (238.6)	121 (251.1)	84 (173.9)	88 (180.5)	83 (165.1)	75 (149.3)	69 (136.8)	74 (147.9)	65 (129.9)	57 (113.5)	54 (105.6)	73 (141.0)	42 (80.8)
Burglaries (per 100,000)	192 (405.5)	207 (429.5)	280 (579.7)	169 (346.6)	231 (459.4)	214 (425.9)	165 (327.2)	196 (391.7)	188 (375.7)	158 (314.5)	203 (397.1)	183 (353.4)	173 (332.7)
Thefts (per 100,000)	562 (1,186.9)	503 (1,043.7)	612 (1,267.1)	594 (1,218.1)	668 (1,328.5)	539 (1,072.8)	444 (880.5)	553 (1,105.0)	703 (1,404.8)	614 (1,222.2)	627 (1,226.4)	627 (1,210.9)	531 (1,021.1)
Auto thefts (per 100,000)	113 (238.6)	93 (193.0)	118 (244.3)	129 (264.5)	144 (286.4)	95 (189.1)	101 (200.3)	90 (179.8)	76 (151.9)	72 (143.3)	61 (119.3)	96 (185.4)	80 (153.8)
Arson (per 100,000)	4 (8.4)	4 (8.3)	5 (10.4)	7 (14.4)	45 (89.5)	17 (33.8)	14 (27.8)	11 (22.0)	6 (12.0)	5 (10.0)	5 (9.8)	2 (3.9)	1 (1.9)
City-data.com crime index (higher means more crime, U.S. average = 294.7)	172.2	168.0	193.6	166.4	195.5	151.0	125.9	152.5	155.7	134.8	137.4	152.1	126.3

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Crime rates in Huntington Beach by year													
Type	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Murders (per 100,000)	0 (0.0)	3 (1.5)	3 (1.5)	6 (3.1)	1 (0.5)	2 (1.0)	0 (0.0)	3 (1.6)	1 (0.5)	2 (1.0)	4 (2.1)	3 (1.5)	2 (1.0)
Rapes (per 100,000)	44 (22.8)	36 (18.3)	44 (22.5)	42 (21.4)	32 (16.3)	31 (15.8)	29 (14.9)	33 (17.1)	30 (15.6)	32 (16.5)	34 (17.7)	31 (15.9)	31 (15.8)
Robberies (per 100,000)	94 (48.7)	84 (42.7)	101 (51.6)	109 (55.5)	92 (46.8)	141 (71.9)	102 (52.3)	118 (61.1)	128 (66.4)	109 (56.3)	108 (56.2)	83 (42.6)	100 (51.1)
Assaults (per 100,000)	205 (106.2)	216 (109.9)	263 (134.3)	264 (134.4)	341 (173.4)	233 (118.8)	245 (125.6)	234 (121.1)	218 (113.0)	306 (158.1)	260 (135.3)	196 (100.7)	229 (116.9)
Burglaries (per 100,000)	1,002 (518.9)	856 (435.5)	961 (490.7)	858 (436.7)	789 (401.3)	961 (489.8)	795 (407.6)	749 (387.6)	704 (364.9)	767 (396.3)	753 (391.7)	797 (409.4)	793 (404.9)
Thefts (per 100,000)	2,608 (1,350.5)	2,715 (1,381.3)	2,716 (1,386.9)	3,096 (1,575.7)	2,783 (1,415.6)	3,044 (1,551.4)	2,825 (1,448.2)	3,265 (1,689.6)	3,571 (1,851.1)	3,621 (1,870.9)	3,584 (1,864.5)	4,352 (2,235.5)	3,796 (1,938.3)
Auto thefts (per 100,000)	547 (283.2)	475 (241.7)	441 (225.2)	518 (263.6)	531 (270.1)	463 (236.0)	415 (212.7)	314 (162.5)	296 (153.4)	285 (147.3)	252 (131.1)	321 (164.9)	345 (176.2)
Arson (per 100,000)	48 (24.9)	33 (16.8)	21 (10.7)	45 (22.9)	24 (12.2)	39 (19.9)	42 (21.5)	34 (17.6)	44 (22.8)	28 (14.5)	20 (10.4)	39 (20.0)	25 (12.8)
City-data.com crime index (higher means more crime, U.S. average = 294.7)	177.8	167.7	182.2	193.1	180.0	186.5	166.2	177.8	178.7	189.6	186.0	191.6	184.5

Crime rates in Beverly Hills by year													
Type	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Murders (per 100,000)	1 (2.9)	1 (2.9)	0 (0.0)	0 (0.0)	1 (2.8)	0 (0.0)	0 (0.0)	2 (5.8)	0 (0.0)	3 (8.7)	1 (2.9)	1 (2.9)	0 (0.0)
Rapes (per 100,000)	2 (5.8)	2 (5.7)	6 (17.0)	12 (34.0)	10 (28.3)	7 (19.8)	15 (42.7)	11 (31.7)	4 (11.6)	4 (11.7)	2 (5.8)	7 (20.2)	5 (14.4)
Robberies (per 100,000)	85 (247.0)	80 (228.4)	73 (207.3)	82 (232.0)	58 (164.2)	82 (231.7)	81 (230.6)	61 (175.9)	45 (130.4)	35 (102.0)	34 (98.5)	35 (100.9)	29 (83.4)
Assaults (per 100,000)	45 (130.8)	50 (142.8)	59 (167.5)	43 (121.7)	65 (184.0)	46 (130.0)	61 (173.6)	52 (149.9)	32 (92.7)	33 (96.1)	21 (60.9)	46 (132.7)	43 (123.6)
Burglaries (per 100,000)	356 (1,034.5)	316 (902.2)	302 (857.4)	317 (896.9)	314 (889.0)	273 (771.3)	284 (808.4)	296 (853.4)	295 (854.9)	263 (766.1)	269 (779.5)	258 (744.0)	239 (687.2)
Thefts (per 100,000)	1,081 (3,141.3)	822 (2,346.9)	771 (2,188.9)	765 (2,164.4)	700 (1,981.8)	729 (2,059.7)	833 (2,371.0)	733 (2,113.4)	895 (2,593.8)	677 (1,972.1)	675 (1,956.0)	790 (2,278.2)	899 (2,584.8)
Auto thefts (per 100,000)	79 (229.6)	62 (177.0)	81 (230.0)	61 (172.6)	38 (107.6)	55 (155.4)	52 (148.0)	42 (121.1)	40 (115.9)	45 (131.1)	30 (86.9)	33 (95.2)	41 (117.9)
Arson (per 100,000)	2 (5.8)	2 (5.7)	4 (11.4)	7 (19.8)	5 (14.2)	4 (11.3)	4 (11.4)	3 (8.6)	4 (11.6)	3 (8.7)	5 (14.5)	2 (5.8)	4 (11.5)
City-data.com crime index (higher means more crime, U.S. average = 294.7)	276.8	235.7	232.9	240.5	223.8	220.1	254.9	231.5	202.9	185.8	162.4	194.2	188.0

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The Community and Placentia’s Elected Officials Were Never Consulted

District Attorney Tony Rackaukas worked with the Placentia Police Department’s former Chief to craft the injunctions without any public hearings in the communities. Even the Placentia City Council, City Manger and City Attorney claim they were unaware of the DA’s plans until the injunction was filed in court and served on the community. The DA is pushing the injunctions forward despite historic lows in crime throughout Orange County.

Placentia’s Gang Injunctions Line Up with Major Redevelopment Projects

Residents are worried that injunctions have historically been used throughout the state – from Santa Barbara, to Echo Park to San Juan Capistrano – to support economic development plans that dramatically increase commercial and residential rents, as well as costs of living and have led to widespread gentrification and displacement. In fact, throughout the state, injunctions haven’t targeted communities with the highest levels of violence, but have been imposed *first and most often* on communities *either* facing an increase of African American or Latino residents moving into majority White communities *or* facing economic development and gentrification.

The large-scale development plans in Placentia – including:

- The changes planned for Historic Old Town and the Orangethorpe Corridor,
- The expansion of luxury housing and shopping centers around nearby Cal State University Fullerton, combined with
- Historic drops in crime, ***all suggest that Placentia’s gang injunctions are not about public safety but about displacing the Chicano community that has lived and worked here for more than 100 years.***

The last two pages of this report include the maps for the two injunctions that overlap nearly block by block with major redevelopment efforts.⁴ There is mounting evidence that massive displacement of families has become common in injunction zones throughout California – displacing not only those named in injunctions but entire communities.

Since 1982, Gang Injunctions Have Been Shown to De-stabilize Communities, Separate Families, Isolate People Most in Need of Resources and Connection to the Community

The chart on the page 7⁵ depicts the threats injunctions pose to the individuals served as well as to families and communities, including:

1. Loss of college access and financial aid, loss of employment and loss of family income due to constant arrests that cycle people in and out of juvenile hall and jail for non-criminal acts. The resulting conviction and permanent gang labeling also eliminate most job and other economic opportunities moving forward – permanently trapping people in a dangerous and debilitating underground economy.
2. Loss of housing – including eviction from public housing and Section 8, even for entire families when a family member is *arrested* for violation of a gang injunction – even when the case is rejected by the District Attorney or when the defendant wins and acquittal.
3. Increased deportation risk and family separation as undocumented people with “gang” convictions – even injunction violations lose opportunities to apply for DACA and DAPA, and are fast tracked for deportation.
4. Children are too often separated from parents who can no longer associate with relatives and neighbors within an injunction zone. Family instability also leads to increased placement of children in foster care, and the resulting court and care costs are incurred by local counties and taxpayers.

⁴ Orange County District Attorney’s Office: The People of the state of California vs. Plas Criminal Street Gang and Does and The People of California vs. LaJolla Criminal Street Gang and Does

⁵ Youth Justice Coalition, 2015

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5. Increased court, police, prosecution, jail and juvenile hall costs for counties who enforce injunctions.
6. To bring an injunction to civil court and fight for its enforcement, cities and counties have spent between \$500,000 (where communities had no knowledge of the injunction, and therefore no ability to mount a challenge), and upwards of ten million dollars (where they face community opposition as in Oakland, Santa Barbara, Townsend and Echo Park). The City of Inglewood paid Jim McDougal – a full-time staff attorney at the Los Angeles City Attorney’s Office – a \$160,000 consultants’ fee to “write” the Inglewood injunction, despite the fact that it was a copy of the injunctions used in Los Angeles.
7. Increased police, court, detention and incarceration costs caused by injunctions also result in cuts to parks, playgrounds, jobs, housing, health care and youth development – the very supports that are essential to build and maintain community safety and progress.
8. The entire community – not just those named in injunctions – are impacted by heavier levels of police enforcement and suppression, including but not limited to stop and frisks, parole and immigration sweeps, check points, ticketing, and searches and interrogations of students in and around schools.
9. Data has now proven that law enforcement use of force resulting in injury and death increases in injunction zones – even when compared to areas with the same crime rates and demographics that don’t have injunctions.
10. Cities and counties pay millions of dollars in damages for increased law suits on police use of force and misconduct claims in gang injunction zones.
11. As described above, massive displacement of communities who have generational roots in an area increasingly occurs in injunction zones, leading many to report that injunctions are more about economic gain than public safety.
12. Ironically, gang injunctions also “sell” a reputation that a community is *infected by* and *infested with* violence and crime – often decreasing property values, investment and resale opportunities. Large developers benefit from the resulting drop in property values and swoop in to take over “blighted” neighborhoods, while local business owners and homeowners lose equity and face foreclosure.
13. Many people who are best situated to address community violence and build peace can no longer engage in peace and community building efforts as people who lead those activities are often named in injunctions or threatened with service *and* because people named in an injunction can be violated for any association other than those few outlined in an injunction – including job training, drug treatment, group counseling and other services that require a person to engage *with* their neighbors.
14. In addition, people named in an injunction can be violated for any association other than those few outlined in an injunction’s conditions – including job training, drug treatment, group counseling and other services that require a person to engage *with* other residents.
15. Similarly, people who accompany others who are already served with an injunction risk being added to the injunction – whether or not they are connected to the alleged gang – simply because they are associating in public with that person, including associating with their own family members.
16. Injunctions allow for the conviction and jailing of people for non-criminal acts, directly violating a person’s Constitutional and human rights to assembly, to free movement, to freedom of speech and other rights. The Placentia and LaJolla injunctions allow
17. Because injunctions are civil court orders – similar to a restraining order or nuisance abatement against a group of people or an entire neighborhood – people have no access to free legal representation, youth under 18 can be sued although under law they can not sign a contract, people with developmental disabilities can be served while also having to defend themselves unless they have the funds and access necessary to hire an attorney, and people in jail and prison can be served although they have no ability to challenge that service in court – all representing a violation of Constitutional and human rights to due process.
18. Increasingly injunctions name a “gang” rather than individuals, and treat the gang as a corporate entity. This wrongly assumes that street associations have sophisticated organizational and communications infrastructures capable to notifying and defending all who are at risk. This further requires that anyone who wants to challenge the argument for an injunction in court must claim they are a leader or “shot caller” in the gang, rocking them to either perjure and/or incriminate themselves in order to defend themselves. This is, of course, a gross violation of a person’s Constitutional right not to incriminate themselves.

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- 19. Finally, as described above, communities have no opportunity to be represented, or to represent their own interests in court, despite the fact that all residents can be greatly impacted by an injunction and the resulting harms previously listed.



**DON'T LET
Placentia's and La Jolla's Streets
BECOME PRISONS**


**GANG INJUNCTIONS HURT
YOUTH AND COMMUNITIES**

WHAT IS A GANG INJUNCTION? Gang injunctions are civil court orders against groups of people, most similar to a group restraining order. Injunctions enable law enforcement to establish geographic "safety zones" within which they can arrest, prosecute and incarcerate people for non-criminal activities, such as being out past curfew or associating with other alleged "gang members" even if they are members of your own family, living in the same home. "An injunction is like a **prison without walls.**" - Alberto Cazarez



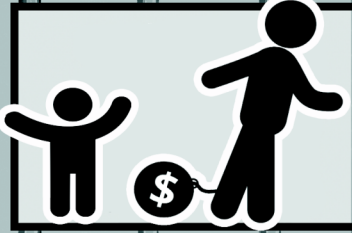
INJUNCTIONS TRAP PEOPLE IN THE SYSTEM

Whether or not they're an "active gang member," anyone named in an injunction faces regular police stops, questioning, pat downs and arrests. Gang injunction violations aren't for new crimes, but for associating with other people, missing curfews or hanging out on your block. Each conviction adds misdemeanors to a record, impacting a person's ability to access or keep jobs, school or housing. Constant contact with the system forces many people further into "gang" politics and violence, it doesn't offer a way out. Injunctions disrupt a sense of security and stability and effect life at home, work and school.




INJUNCTIONS DISRUPT WORK, SCHOOL AND HOUSING.

With constant police stops, arrests and detention, many people lose jobs and with a criminal record, work is hard to find. Missed school attendance directly impacts grades and financial aid. Gang injunction arrests can limit ability to get into housing, can lead to eviction from Section 8 or Public Housing, and can leave entire families homeless.




INJUNCTIONS DISCONNECT FAMILIES AND INDIVIDUALS

Gang injunctions prohibit "association with other gang members" even if those alleged are also family members. Family or friends living in the same house or same neighborhood are not exempt. Teenagers have been arrested visiting their parents, uncles or cousins, and it is **COMMON FOR** family gatherings – birthdays, Christenings, even funerals to be raided when those named in injunctions attend.



INJUNCTIONS PREVENT COMMUNITY PEACE-BUILDING

Former **ACTIVE** members can play an important role building peace - as Community Intervention Workers - talking those in conflict away from violence and bringing them together to build truces and maintain cease fires. But, being named in an injunction makes this important work impossible. Intervention workers face being arrested any time they "associate" with another alleged gang member in the injunction area.



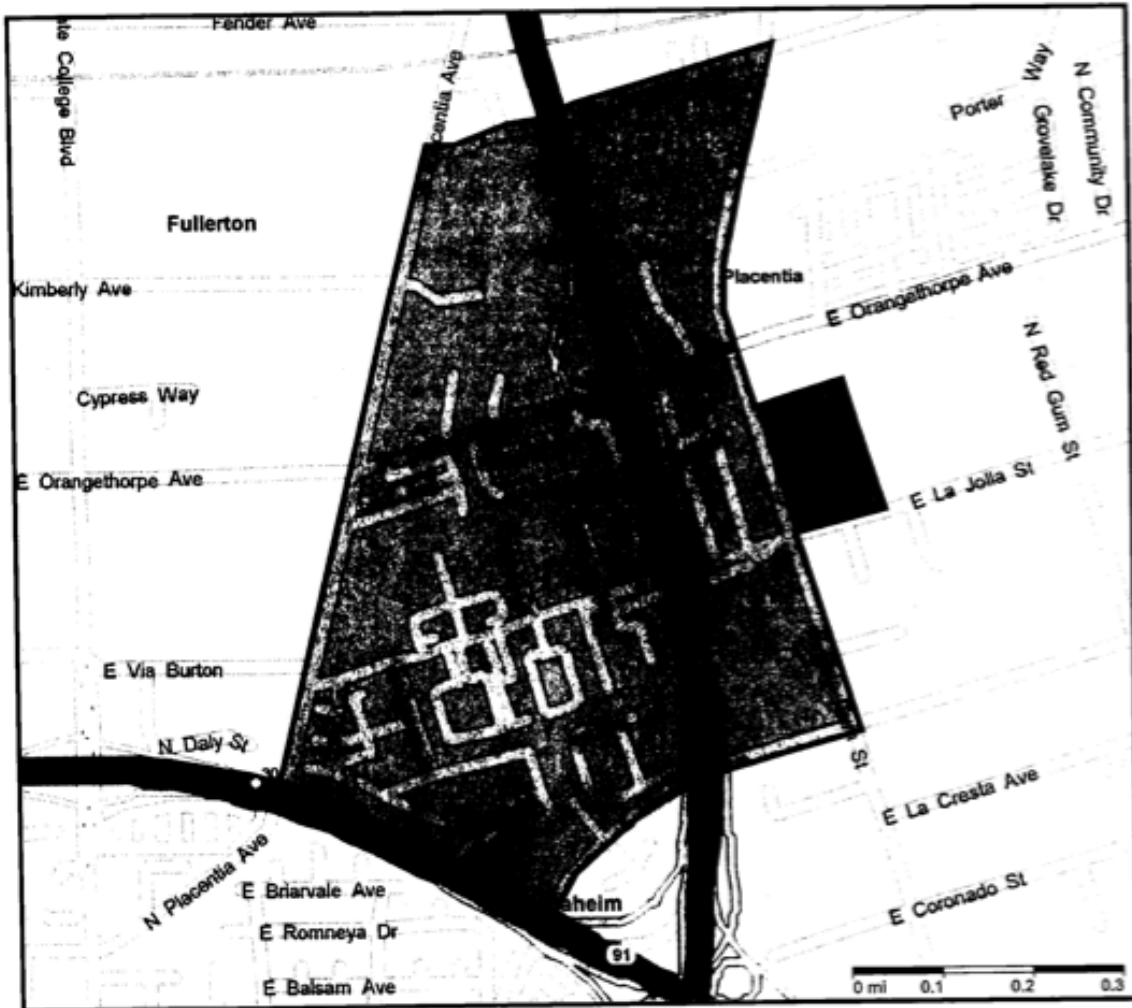
**YOU CAN HELP YOUR COMMUNITY:
STOP THE PLACENTIA AND LA JOLLA INJUNCTIONS!**
Michelle - 909 - 973-5483;
Dolores - 714-290-9077;
Martha - 714-610-3739 or Theresa - 714-299-8121

Written by Kim McGill, Youth Justice Coalition / Graphics by Veronique D'entremont and Kim McGill

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LA JOLLA SAFETY ZONE



Gang Participant Involved Incidents

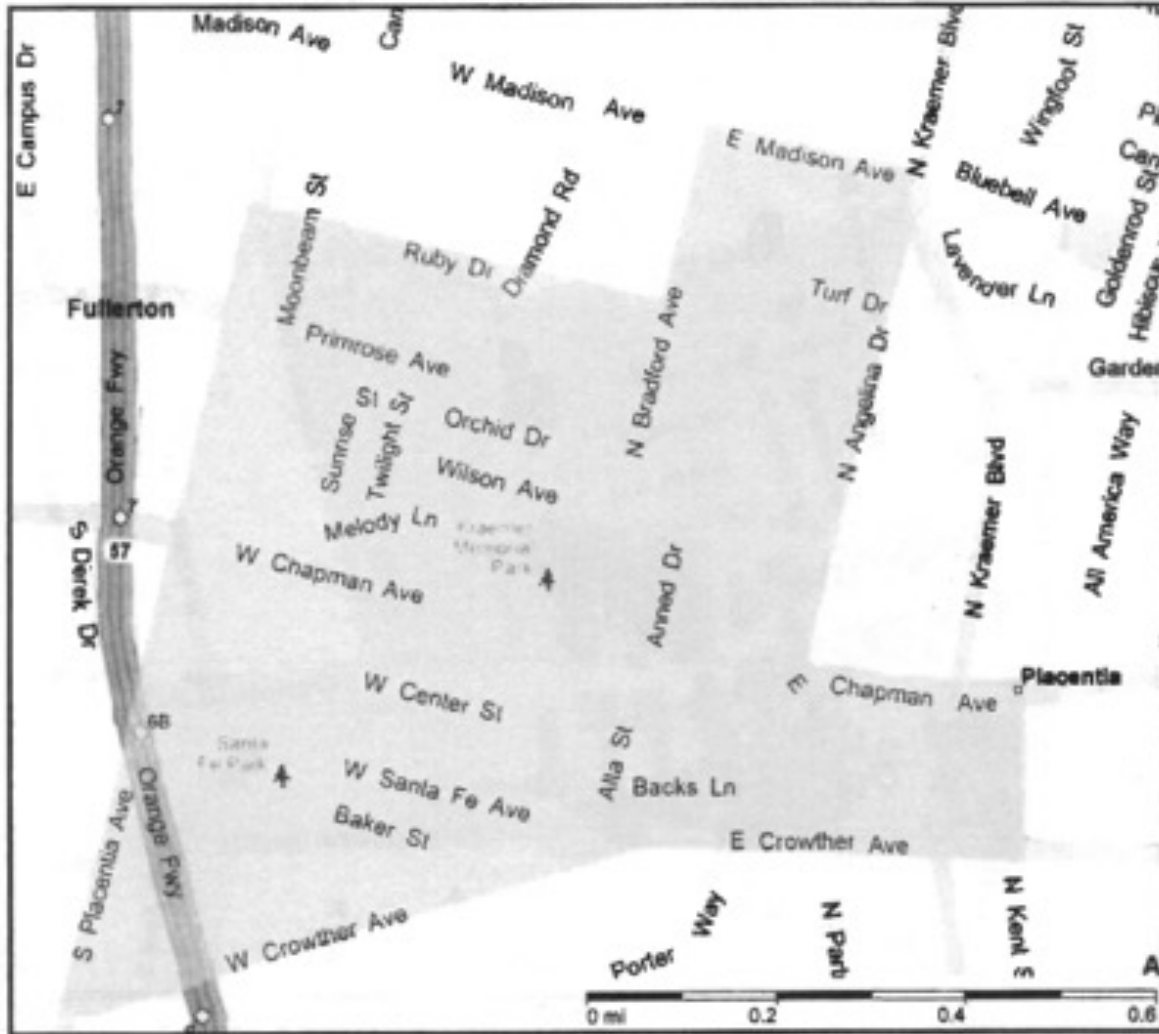
- | | |
|----------------------------------|---------------------------|
| 15 Assault/ ADW/GBI/Force Likely | 1 Trespassing |
| 28 Drugs or Paraphernalia | 26 Gang Clothes |
| 9 Guns/Dangerous Weapons | 3 Burglary/Burglary Tools |
| 2 Fighting | 3 Robbery |
| 151 Graffiti/Vandalism or Tools | 2 Loitering |
| 81 Associate | 11 Curfew |
| 1 Intimidation | 2 All Laws |
| 25 Alcohol in Public | |

* Numbers represent the number of gang participants involved in the incident

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PLAS SAFETY ZONE



Gang Participant Involved Incidents

- | | |
|----------------------------------|-----------------------------|
| 7 Assault/ ADW/GBI/ Force Likely | 12 Trespassing |
| 57 Drugs or Paraphernalia | 3 Gang Hand Signs |
| 35 Guns/Dangerous Weapons | 12 Gang Clothes |
| 3 Fighting | 7 Burglary/Burglary Tools |
| 194 Graffiti/Vandalism or Tools | 6 Robbery |
| 124 Associate | 2 Loitering |
| 7 Intimidation | 32 Curfew |
| 40 Alcohol in Public | 4 Vehicle Theft/Car Jacking |
| | 6 All Laws |

* Numbers represent the number of gang participants involved in the incident