

Proposed North Oakland gang injunction

The Oakland city attorney's office has requested a court order to place a gang injunction in a defined area called a "safety zone," shown below along with approximate territories of the various gangs that would be affected by the injunction.



Sources: Oakland city attorney's office; ESRI

Todd Trumbull / The Chronicle

Oakland police seek injunction against gangs

Matthai Kuruvila, Chronicle Staff Writer

Friday, February 19, 2010

In a bold move to reduce escalating gang violence, Oakland asked for a court order Thursday to severely restrict gang activity in a 100-block swath.

Nineteen people police identified as gang members would be placed under a curfew and prohibited from associating with one another, loitering and possessing guns in the "safety zone," an area in North Oakland near the Berkeley and Emeryville borders, if the Alameda County Superior Court approves the order.

The gangs include Gaskill Maniacs, Bushrod Cold Gunnaz 59, ASAP/FT, 600 The 6 and 6100. Though the gangs have carved out different territories in North Oakland, they have joined together to fight a south Berkeley gang, police said. The violence between the gangs has escalated rapidly in recent years, from three violent encounters in 2007 to 18 in 2009, including seven homicides, said City Attorney John Russo. The incidents include the fatal shooting in September of Oakland Technical High School senior Desiree Davis, 17.

In addition, four named gang members - Anthony Price, Stephon Anthony, Samuel Flowers and Rafael Campbell - face charges in three homicides stemming from a possibly mistaken-identity killing on May 16 of college student Charles Davis, 25, in Berkeley.



Rafael Cambell

Samuel Flowers

Anthony Price

Stephon Anthony

Crash deaths

After fleeing the scene, the four gang members allegedly ran a stop sign at Aileen Street and Martin Luther King Jr. Way at more than 70 mph and broadsided a car driven by Todd Perea, a 27-year-old film editor. Perea's car careened onto the opposite sidewalk, where it struck a pedestrian, Floyd Ross, a 41-year-old Berkeley resident. Both Perea and Ross were killed.

There are neighborhoods in Oakland with more violence, particularly parts of East Oakland, but the injunction was sought in North Oakland largely because officers assigned to the area did the legwork necessary to support a court order, according to the Police Department.

The Y-shaped area is roughly bounded by Telegraph Avenue to the east, Vallejo and Adeline streets to the west, the Berkeley border to the north and Interstate 580 to the south.

"Gang injunctions are not a panacea," Oakland Police Chief Anthony Batts said during a news conference Thursday. But, for officers in need of all the help they can get, "they are an additional tool."

The injunction would bar the 19 gang members from being on the streets or other public places in the safety zone between 10 p.m. and 5 a.m. with limited exceptions.

Injunctions popular

Gang injunctions have become increasingly popular in California, where the state Supreme Court upheld their use in 1997. They have been used largely by cities in Southern California but also in San Francisco and San Jose. Their effectiveness is disputed, in part, because the areas where they are most commonly used, such as Los Angeles, remain warrens of gang violence.

Their power lies in being able to exploit the civil court structure to create a parole-like system prior to a conviction. Unlike in criminal courts, those targeted by the gang injunction do not have the right to an attorney to clear their names. The Oakland city attorney's office is still deciding whether it needs to go to court to add more names to the list.

"We have an adversarial process in the U.S. court system," said Jory Steele, managing attorney for the American Civil Liberties Union of Northern California. "If you only have a one-sided argument, then it's unlikely you'll have justice."

Oakland police said they conducted an extensive vetting process to make sure all 19 people were gang members. The process included police reports, gang tattoos, admissions by suspects and interviews with citizens, 100 Oakland police officers and several in Berkeley.

Help for Berkeley

Police said that limiting the ability of gang members to hang out together will greatly reduce violence in south Berkeley as well.

"Berkeley can't do a drive-by if no one is standing on the corner," said Sgt. Bernard Ortiz.

Neither Berkeley police representatives nor the Berkeley police chief returned calls Thursday.

Residents of the neighborhoods expressed relief at the city's move, saying they have been living under an injunction of sorts themselves - one driven by fear.

Josephine Lee, 84, was born in Oakland and has lived in North Oakland for 41 years. She chides neighbors like Larry Benson, 53, for walking their dogs at night. "It's not safe," she said.