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## Civil Gang Injunction Arrests (Re-issue DB 12-062)

Currently, there are more than 139 gang members from seven different gangs who are the subject of civil gang injunctions. These gang members are restricted from engaging in certain activities in the areas that the gangs have claimed as their turf. This turf is described by the courts as, Safety Zones.

The Safety Zones are located in four districts; the Bayview, Ingleside, Mission, and Northern. The gang member's restrictions only apply within the specific Safety Zone where they claim their gang turf, i.e., a Norteno gang member who is on the gang injunction in the Mission District Safety Zone is not subjected to restrictions in the Bayview's Oakdale gang injunction Safety Zone. Maps of these Zones are available for reference in the VRP Folder on your computer desktop.

*Civil injunctions are not stay away orders.* A person named in a civil injunction can legally be in their Safety Zone if conducting legitimate business. Some actually live in their Safety Zone.

**Before making an arrest for a violation of a civil gang injunction, officers shall familiarize themselves with the restricted activities, Safety Zone boundaries, and the subjects listed in the 'ORDER GRANTING DEFAULT JUDGEMENT IN FORM OF PERMANENT GANG INJUNCTION' issued by the court.** These ORDERS are found in the VRP folder. Officers may encounter these subjects in a variety of ways, including running them through Dispatch and receiving a return in Cable that states, for example, "*Subject to civil gang injunction: People v Norteno, Case no 464492-served: 4/18/09-FH-07/01/09-*."

When an officer has lawfully detained a subject and that person is identified in a civil gang injunction's enforcement list, the following steps shall be taken to verify that the subject has been served with the order **and** is in violation of the restricted activity terms, prior to charging the person with the violation:

1. Open the VRP folder on your computer desktop; open the Gang Task Force folder; open the Gang Injunction folder. Find the name of the gang, open the folder and find your suspect's file.
2. Using the information in the suspect's file, verify that the suspect has been served with a Permanent Order.
3. Open the Safety Zone Map folder and determine if the suspect was in the Safety Zone that is related to his gang injunction when the restricted activity violation occurred.
4. If you have determined that the suspect is in violation of one or more of the restricted activity terms of the gang injunction, arrest for 166(a) 9 PC/M.

(over)

Once an arrest has been made for a violation of a civil gang injunction, follow the below procedures:

1. Immediately notify an on-duty Gang Task Force officer via telephone, (415) 553-1401, and/or radio. If there is no response, contact DOC to notify the on-call GTF investigator anytime of the day or night. GTF will respond to conduct an investigation.
2. Charge 166(a) 9 PC/M and write, "Violation of Civil Gang Injunction" next to the charge on the booking card.
3. Title the incident report, "Stay Away or Court Order, Non- DV Related - 71024" as the primary title.
4. If there are no felony charges associated with the arrest of the gang member, or anyone else arrested in the report, add "Gang Related" as the secondary title.
5. If there are felony charges, use the felony charge as the primary title and, "Stay Away or Court Order, Non- DV Related — 71024" as the secondary title.
6. Always check the 'Gang Related' box on the front page of the report.
7. Assign all reports, whether felony or misdemeanor charges to 50200, the Gang Task Force.
8. Do not complete a misdemeanor rebooking packet. All cases involving civil gang injunction violations shall be assigned to the Gang Task Force for rebooking.
9. Immediately FAX the incident report to: Gang Task Force, FAX (415) 553-9210 and City Attorney's Office, FAX (415) 437-4644 Attn: Carolina Reyes-Ouk.

If you have any questions or concerns, please do not hesitate to contact Chief Attorney Peter Keith, (415) 554-3908 or Carolina Reyes-Ouk, (415) 554-3948 at the City Attorney's Office, or the OIC of the Gang Task Force, (415) 553-1401.

  
WILLIAM SCOTT  
Chief of Police

*Per DB 15-141, sworn members are required to electronically acknowledge this Department Bulletin in HRMS.*