

1 [Arrest and crime statistics for gang injunction safety zones.]

2 **Ordinance adding Section 2A.89 to the Administrative Code to require statistical**  
3 **reporting regarding arrests and crimes in and around safety zones created by**  
4 **permanent civil gang injunctions, and making related findings.**

5 Note: Additions are single-underline italics Times New Roman;  
6 deletions are ~~strikethrough italics Times New Roman~~.  
7 Board amendment additions are double underlined.  
8 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1.

11 FINDINGS AND PURPOSE. On behalf of the people of the State of California, the City  
12 Attorney has obtained civil gang injunctions against the following criminal street gangs that  
13 operate in San Francisco's neighborhoods: the Oakdale Mob, Knock Out Posse ("KOP"),  
14 Eddy Rock, Chopper City, and the Norteños. Each injunction includes a list of specific gang  
15 members against whom the injunction is enforceable. Each injunction applies to a specific  
16 geographic area called a "safety zone."

17 The Board finds that arrest and crime statistics for areas within and immediately  
18 surrounding each safety zone are important indicators of whether gang injunctions and other  
19 gang suppression activities effectively reduce criminal gang activity and violence. These  
20 arrest and crime statistics will also assist policymakers to determine whether gang injunctions  
21 may cause gang-related crime to be displaced from safety zones to nearby areas. It is in the  
22 interest of the City and County of San Francisco to evaluate the effectiveness of gang  
23 suppression activities, including gang injunctions, by compiling statistics regarding crimes and  
24 arrests in and around the safety zones.

1           Therefore, it is the intent of the Board to require semi-annual reports of crime and  
2 arrest statistics in the areas within and immediately surrounding the gang injunction safety  
3 zones.

4           Section 2. The San Francisco Administrative Code is hereby amended by adding  
5 Section 2A.89, to read as follows:

6           **Sec. 2A.89. REPORTING CRIME AND ARREST STATISTICS IN AND AROUND GANG**  
7 **INJUNCTION SAFETY ZONES.**

8           *(a) Applicability. The requirements of this Section shall apply to all safety zones*  
9 *established in any permanent civil gang injunction that is in effect on the first date of the reporting*  
10 *period, including but not limited to the safety zones established in injunctions obtained against the*  
11 *Oakdale Mob, Knock Out Posse ("KOP"), Eddy Rock, Chopper City, and the Norteño criminal street*  
12 *gangs.*

13           **(b) Definitions.**

14           *(1) "Criminal street gang" means any ongoing organization, association, or group of three*  
15 *or more persons, whether formal or informal, having as one of its primary activities the commission of*  
16 *one or more of the criminal acts enumerated in Penal Code section 186.22(e)(1)-(25), having a*  
17 *common name or common identifying sign or symbol, and whose members individually or collectively*  
18 *engage in or have engaged in a pattern of criminal gang activity.*

19           *(2) "Gang injunction" means a permanent civil gang injunction ordered by a court that*  
20 *prohibits a gang and gang members from engaging in specified activities in a safety zone.*

21           *(3) "Safety zone" means the geographic area in which a court has ordered a criminal street*  
22 *gang and specific gang members not to engage in activities prohibited by the terms of the injunction.*

23           *(4) "Areas immediately surrounding the gang injunction safety zone" means the area 1000*  
24 *feet outside of the outer perimeter of the gang injunction safety zone.*

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1           (5) "Crime and arrest statistics" means statistics gathered by the San Francisco Police  
2 Department for the purpose of monitoring and reporting criminal activity.

3           (6) "Gang-related arrests and crimes" mean all felony crimes or felony criminal charges  
4 that are committed or allegedly-committed "for the benefit of, at the direction of, or in association with  
5 any criminal street gang, with the specific intent to promote, further, or assist in any criminal conduct  
6 by gang members," as defined in Penal Code section 186.22(b)(1).

7           (7) "Unduplicated number of individuals" means the total derived by counting each person  
8 only one time for the purpose of computing the relevant statistic.

9           **(c) Reporting Crime and Arrest Statistics.**

10          (1) Two times each year, the Chief of Police shall prepare a report containing the following  
11 crime and arrest statistics. The Chief shall transmit a copy of the report to the Mayor, the Board of  
12 Supervisors, the City Attorney, the Police Commission, the District Attorney and the Public Defender.

13          (2) For the period including January 1 through June 30, the Chief shall submit the report  
14 no later than July 15. For the period including July 1 through December 31, the Chief shall submit the  
15 report no later than January 15 of the following year.

16          (3) The first report shall cover the period July 1, 2008 through December 31, 2008. The  
17 final report shall cover the period July 1, 2010 through December 31, 2010. After the final report is  
18 submitted on or before January 15, 2011, the reporting requirements contained in this Section shall  
19 end, unless the Board of Supervisors adopts legislation imposing new requirements. After January 15,  
20 2011, if the Board does not renew or amend the requirements of this Section, the City Attorney shall  
21 take the necessary administrative steps to delete this Section from the published Administrative Code.

22          (4) Each semi-annual report shall include:

23          (A) The total number of crimes reported and arrests made within each safety zone;

24          (B) A breakdown of the type of crimes reported and arrests made in each safety zone;

- 1            (C) The total number of crimes reported and arrests made in areas immediately surrounding  
2 the gang injunction safety zones;
- 3            (D) A break down of the type of crimes reported and arrests made in areas immediately  
4 surrounding the gang injunctions safety zones;
- 5            (E) The total number of gang-related arrests and crimes reported within each safety zone;
- 6            (F) The total number of gang-related arrests and crimes reported in areas immediately  
7 surrounding the gang injunction safety zones;
- 8            (G) The unduplicated number of individuals who were arrested for gang-related crimes  
9 within each safety zone;
- 10           (H) The unduplicated number of individuals who were arrested for gang-related crimes in  
11 areas immediately surrounding the gang injunction safety zones;
- 12           (I) The unduplicated number of individuals subject to enforcement of a gang injunction who  
13 are arrested for any crime in any of the safety zones;
- 14           (J) The unduplicated number of individuals subject to enforcement of a gang injunction who  
15 are arrested for any crime in areas immediately surrounding the gang injunction safety zone;
- 16           (K) The approximate street address of each arrest for a gang-related crime committed in  
17 any of the safety zones;
- 18           (L) The type of crime or crimes alleged as the basis for each arrest for gang-related crimes  
19 within each safety zone;
- 20           (M) The type of crime or crimes alleged as the basis for each arrest for gang-related crimes  
21 in areas immediately surrounding the gang injunction safety zones;
- 22           (N) The number of alleged gang members arrested within any safety zone, including those  
23 not subject to enforcement of the injunction, whose official residence at the time of the arrest, if known,  
24 is in San Francisco;

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1           (O) The number of alleged gang members arrested within any safety zone, including those  
2 not subject to enforcement of the injunction, whose official residence at the time of the arrest, if known,  
3 is in a jurisdiction other than San Francisco;

4           (P) The number of individuals who are arrested for a gang-related crime anywhere in San  
5 Francisco;

6           (Q) The unduplicated number of individuals who are arrested for violating the terms of a  
7 gang injunction;

8           (R) The type of crime, crimes or other activity alleged as the basis for each arrest made for  
9 violating the terms of a gang injunction;

10           (S) The number of arrests made for violating the terms of a gang injunction; and

11           (T) The unduplicated number of individuals subject to enforcement of a gang injunction who  
12 are arrested anywhere in San Francisco outside of a gang injunction safety zone, or areas immediately  
13 surrounding a gang injunction safety zone, for an alleged gang-related crime.

14           (5) The Chief's report shall identify the source of the statistics and shall explain the reason  
15 for the absence of any statistic required by this ordinance that is not included in the report.

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17 APPROVED AS TO FORM:  
18 DENNIS J. HERRERA, City Attorney

19 By: \_\_\_\_\_  
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