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[Resolution supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community.]

Resolution supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community.

WHEREAS, The Board of Supervisors of the City and County of San Francisco recognizes that the City and County is experiencing a crisis caused by violent street gangs whose members intimidate, threaten, harass, terrorize and commit numerous crimes against the peaceful citizens of their neighborhoods; and

WHEREAS, The Legislature of the State of California finds that "[t]hese activities, both individually and collectively, present a clear and present danger to public order and safety and are not constitutionally protected," (California Penal Code Section 186.21); and,

WHEREAS, Pursuant to California Penal Code Section 186.25, the Board of Supervisors is expressly authorized to adopt and enforce laws aimed at deterring gangs and gang violence; and,

WHEREAS, It is the intent of the Board of Supervisors of the City and County of San Francisco to support the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community; and,

WHEREAS, The Board of Supervisors finds that an effective means of deterring and abating the public nuisance activity caused by criminal street gangs is through the use of civil gang injunctions; and,

WHEREAS, The injunctions, while civil in nature, play an important role in the overall law enforcement approach to combating criminal gang activity in our community because they directly address the public nuisance created by this type of criminal enterprise; and,

1 WHEREAS, The Board of Supervisors also believes that in some instances these
2 injunctions provide a reasonable and effective alternative to pursuing criminal sanctions
3 against youthful offenders; and,

4 WHEREAS, Pending State legislation would allow the City Attorney and those
5 designated Deputy City Attorneys to review criminal history records in limited circumstances
6 and allow them to accurately ascertain those individuals who should appropriately be subject
7 to a gang injunction and/or Drug Abatement action; now, therefore be it,

8 RESOLVED, That the Board of Supervisors supports State legislation clarifying that the
9 City Attorney and those designated Deputy City Attorneys who investigate, draft and file civil
10 gang injunctions under the Civil or Penal Codes, or civil drug abatement cases under the
11 Health and Safety Code, are "prosecuting city attorneys" within the meaning of California
12 Penal Code Sections 11105 and 13300.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 060456

Date Passed:


Resolution supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community.

April 11, 2006 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

File No. 060456

I hereby certify that the foregoing Resolution was ADOPTED on April 11, 2006 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

04.18.06

Date Approved


Mayor Gavin Newsom