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OFFICE OF CRIMINAL JUSTICE PLANNING

*Providing Support to Criminal Justice Agencies,
Victim Service Organizations, and Crime Prevention Programs*



GEORGE DEUKMEJIAN
GOVERNOR

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GANG VIOLENCE
SUPPRESSION PROGRAM
ANNUAL REPORT TO THE LEGISLATURE
NOVEMBER 1987



Office of Criminal Justice Planning

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GANG VIOLENCE SUPPRESSION PROGRAM

ANNUAL REPORT

Foreword

The Gang Violence Suppression (GVS) Program demonstrates the continuing commitment of Governor George Deukmejian and the California Legislature to assist local communities in dealing more effectively with the youth gang violence problem. This serious problem has spread throughout California. Rural, urban and suburban communities look to the GVS Program as an effective means to help reduce gang violence. This report presents the accomplishments of the GVS Program.

The program provides funding to district attorneys' offices, law enforcement agencies and probation departments to identify, prosecute and remove gang violence perpetrators from the community; and to schools and community-based organizations to prevent and reduce gang-related violence.

GVS prosecution projects assign experienced investigators and prosecutors to employ proven techniques to prosecute cases. Law enforcement agencies assign experienced officers to investigate suspected and reported gang activity, apprehend offenders and provide the district attorney's office with the information necessary for successful prosecutions. Probation departments concentrate on identified gang members and ensure that court-ordered conditions of probation are enforced. Schools develop and implement gang prevention curricula to educate youth and their parents regarding the dangers and negative impact gang involvement can have on their lives. The community-based agencies work with law enforcement, probation, parole, schools, parents and youth to provide education, mediation services and alternatives to gang related activities.

If you would like copies of this report or if you have questions concerning the program, please contact the Juvenile Justice Branch staff at (916) 324-9108.


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GANG VIOLENCE SUPPRESSION PROGRAM

ANNUAL REPORT TO THE LEGISLATURE

NOVEMBER 1987

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OFFICE OF CRIMINAL JUSTICE PLANNING

GANG VIOLENCE SUPPRESSION PROGRAM

ANNUAL REPORT TO THE LEGISLATURE

I. INTRODUCTION AND BACKGROUND

A. PURPOSE OF THE PROGRAM

The California Gang Violence Suppression (GVS) Program was established in the Office of Criminal Justice Planning (OCJP) with the passage of Assembly Bill 788, Chapter 1030, Statutes of 1981, (Appendix A) and expanded by three additional legislative measures: Assembly Bill 2682, Chapter 1093, Statutes of 1982, (Appendix B); Assembly Bill 441, Chapter 621, Statutes of 1986, (Appendix C); and Assembly Bill 1990, Chapter 929, Statutes of 1986, (Appendix D). The purpose of this program is to reduce the level of gang violence in the community and to divert potentially dangerous gang activity into more positive and constructive behavior.

Five interrelated components form the program: prosecution, law enforcement, probation, education and prevention. The program provides funding to district attorneys' offices, law enforcement agencies and probation departments to identify, prosecute and remove gang violence perpetrators from the community; and to schools and community-based organizations (CBOs) to prevent and reduce gang-related violence.

GVS prosecution projects assign experienced investigators and prosecutors to employ proven techniques to prosecute cases. Law enforcement agencies assign experienced officers to investigate suspected and reported gang activity, apprehend offenders and provide the district attorney's office with the information necessary for successful prosecutions. Probation departments concentrate on identified gang members and ensure that court-ordered conditions of probation are enforced. Schools develop and implement gang prevention curricula to educate youth and their parents regarding the dangers and negative impact gang involvement can have on their lives. The community-based agencies work with law enforcement, probation and parole officials, schools, parents and youth to provide education, mediation services and alternatives to gang-related activities.

It is most important that all components of the program work toward the same goals, establishing cooperative relationships and compatible activities. To this end, the objectives and required activities for each of the five components were developed and prescribed in the GVS Program Guidelines. Section III of this report summarizes this information.

The program also strives to keep open lines of communication between law enforcement agencies, prosecutors' offices, schools, community-based organizations, probation departments, the community and family members of gang or potential gang members. Based upon the experience of local efforts and the growing gang problem, there is no doubt a coordinated,

comprehensive approach is necessary to effectively deal with this problem. For this reason, all projects must demonstrate a commitment to work with other component projects and are encouraged to participate on local task forces. In most areas the task force is coordinated through the district attorney's office.

Criminal justice agencies participating in the GVS Program are required to outline specific methods and criteria for addressing gang violence and gang membership which are consistent with Penal Code Sections 13826-13826.6. The Penal Code specifies the criteria for gang member identification and gang violence activities subject to prosecution, and requires the same for law enforcement and probation. Methods of operation must be developed in conjunction with the district attorney's office and must clearly distinguish between gang members and young people engaged in cultural expression.

B. HISTORY OF THE PROGRAM

The GVS Program was originally designed to concentrate enhanced prosecution efforts and resources on gang members who engage in violent criminal activities. The concept of focusing on more serious or repeat offenders was initially shown to be successful by California's Career Criminal Prosecution (CCP) Program. Under the CCP Program, special experimental units were staffed with experienced trial attorneys, investigators and support staff. The units worked with local law enforcement personnel to develop successful case investigative procedures to identify and apprehend repeat or "career" offenders. In preparing cases for trial, law enforcement and unit investigators questioned witnesses and provided them with necessary protective services. At trial, CCP prosecutors vertically prosecuted cases, that is, the same attorney handled the case through the judicial process from filing or arraignment to sentencing.

In 1979, the CCP Program concept was adapted to focus enhanced prosecution efforts on more serious and violent gang members. The experiment proved successful and was instrumental in gaining the passage of AB 788. Beginning April 1, 1982, the new statewide GVS Program was implemented by OCJP utilizing federal Juvenile Justice and Delinquency Prevention (JJDP) funds. Due to the complexity of the gang violence problem and the requirements regarding the use of the federal funds, a portion of the funds was reserved for community-based organizations to implement prevention activities in addition to the legislatively required prosecution efforts. OCJP prepared the GVS Program Guidelines, the written program and administrative guidelines required by the authorizing statutes. Selection criteria to award GVS Program funding were developed by OCJP, in consultation with the Gang Violence Suppression State Advisory Committee. The committee, which included prosecutors, public and private counsel, law enforcement officials, probation officers, community-based agency representatives and representatives of state-level criminal justice agencies, met and provided advice and recommendations to OCJP. (Refer to Appendix E for a list of current committee members.)

During the first year of operation, the increasing concern about the gang problem resulted in the 1982 enactment of AB 2682. This legislation

included the prevention component and expanded the legislative authorization for the program to include probation and law enforcement components. However, at that time no state funds were appropriated to implement the new components.

For fiscal year (FY) 1983/84, State General Funds were appropriated to continue the prosecution and prevention components. These funds were matched with federal JJDP funds, as required by the state budget act.

An expansion of the program occurred during FY 1985/86 with an increased state appropriation to fund the authorized probation and law enforcement program components. State General Funds and federal JJDP funds for that year were supplemented with federal funds made available through the new Justice Assistance Act (JAA). The increased funding level allowed OCJP to make grant awards to nine prosecution offices, five law enforcement agencies, three probation departments and ten CBOs. Of these twenty-seven projects, nine prosecution projects and three prevention projects operated by CBOs were continued, and fifteen new projects were initiated.

Also during that year, Governor Deukmejian requested the California Council on Criminal Justice (CCCJ) to form the State Task Force on Youth Gang Violence in recognition of California's growing gang violence problems. The Task Force held hearings in four locations and heard testimony from experts, practitioners and gang members in order to develop and recommend statewide policy, and legislative and budget priorities to the Governor and the Legislature. The findings and recommendations contained in the December 1985 final report of the Task Force parallel the purpose and objectives of the GVS Program, as referenced throughout this document. Copies of the Task Force report are available from OCJP. The GVS Program Guidelines were revised to incorporate the recommendations of the Gang Violence Suppression State Advisory Committee and, as appropriate, the State Task Force on Youth Gang Violence, for the new law enforcement and probation components.

During FY 1986/87 the GVS Program was expanded again when Governor Deukmejian requested an increase in the state General Fund appropriation for the GVS Program and two additional legislative measures were enacted. The program was expanded to include school prevention activities and to work toward having all five components operating in each jurisdiction. AB 1990 formally established the education component, and AB 441 provided for CBOs to implement prevention and intervention activities in the schools to discourage students from joining gangs. A Request-for-Proposals was developed and distributed, with new projects starting on February 1, 1987.

The increased funding level allowed OCJP to make grant awards to nine prosecution offices, eleven law enforcement agencies, six probation departments, eight school districts and ten CBOs. Four CBOs were each awarded \$25,000 for school intervention projects. Of the 48 projects, 27 projects were existing, and 21 new projects were initiated. Appendices F and G contain complete lists of projects funded with FY 1986/87 funds.

II. PROGRAM IMPLEMENTATION

A. PROSECUTION COMPONENT

The prosecution component is designed to reduce the level of gang violence by swiftly identifying and prosecuting perpetrators and removing them from the community. Successful prosecution of gang-related crime is the cornerstone of the GVS Program. For this reason, GVS Program funding for any GVS component is available only to counties where a prosecutor is, or unit of prosecutors are, designated to vertically prosecute gang members.

1. Prosecution Component Description

A premise of this program is that a few gang members commit a significant proportion of the crimes and negatively influence the behavior of other gang members. One effective deterrent is to incapacitate offenders through incarceration, particularly those leading other gang members in illegal, violent activities.

The GVS Program targets gangs composed of juveniles or a mixture of juveniles and adults. Prosecuting and incarcerating violent gang members regardless of age significantly impacts their influence, particularly over younger members. The GVS units may handle gang-related cases in criminal court or in juvenile court proceedings where a petition has been filed pursuant to Section 602 of the Welfare and Institutions Code.

Historically, gang violence cases have been difficult to prosecute since many witnesses are either gang members themselves or are reluctant to testify for fear of retaliation. To help overcome these difficulties, GVS units are required to have experienced investigators and attorneys handling a lower caseload than their office average.

Directed towards a similar purpose, the authorizing legislation specifies the four characteristics which each GVS prosecution project must contain:

- Vertical prosecution, whereby the prosecutor who makes the initial filing or appearance in a gang-related case will perform subsequent court appearances on that particular case through its conclusion, including the sentencing phase;
- Highly qualified investigators and prosecutors assigned to gang-related cases;
- Significantly reduced caseloads for investigators and prosecutors assigned to gang-related cases; and
- Coordination with law enforcement agencies to protect cooperating witnesses from intimidation or retribution by gang members or associates.

The legislation also specifies the criteria by which GVS prosecution units must make case selections. For the unit to accept a case, an individual must be under arrest for the commission or attempted commission of any gang-related violent crime where the individual is a known gang member and has a history of prior criminal activity.

2. Prosecution Component Objectives

Each of the prosecution projects strive to do the following:

- a. Resist the release prior to trial or hearing of a charged defendant meeting the selection criteria;
- b. Eliminate or reduce the use of plea bargaining;
- c. Increase conviction or sustained petition rates for offenders prosecuted by specialized gang violence units;
- d. Achieve a higher rate of conviction or petitions sustained on the most serious charges;
- e. Increase the length of sentences or commitments and the ratio of maximum sentences or commitments in cases prosecuted;
- f. Reduce the GVS unit prosecutor's average caseload;
- g. Achieve vertical prosecution;
- h. Enhance coordination among agencies involved in the suppression of gang violence, including law enforcement, probation, schools and community organizations; and
- i. Increase coordination with law enforcement agencies to protect cooperating witnesses from intimidation and retribution.

3. Prosecution Component Implementation

Nine district attorneys' offices operated GVS units during FY 1986/87. The nine offices were awarded a total of \$695,504 in grant funds with a local match of \$172,276. Forty grant and locally funded attorneys worked in GVS prosecution units in the nine project sites. The Stanislaus County District Attorney's Office designated a prosecutor to vertically prosecute gang-related cases without OCJP GVS Program funds. As only agencies within counties that have designated gang violence/vertical prosecutors are eligible to apply for GVS Program funding, this enabled the Modesto Police Department to participate in the GVS Program.

The GVS Program has had a very significant impact on the difficult task of prosecuting gang cases. Initially, the Los Angeles County District Attorney's Office was the sole agency with extensive experience prosecuting these cases. With the establishment of specialized units in other offices, the frequency and quality of gang

prosecutions have increased. On an annual basis, OCJP brings the prosecutors together to offer them the opportunity to receive specialized training and to discuss successful local procedures, trial strategies and court rulings.

The continuing growth of expertise has resulted in the GVS Unit prosecutors moving beyond simple gang cases. In Santa Barbara County, the prosecutor has instigated regular meetings with law enforcement agencies to allow them to quickly identify and prosecute any criminal gang activity. The San Francisco project prosecutor has been cross-designated so that she may federally prosecute cases. San Jose and San Francisco County projects cooperate in international gang prosecutions. Los Angeles County project prosecutors are assisting in the development of regional computer gang tracking information systems. The Orange County project prosecutor is developing a computer software program to log and analyze criminal gang activity. The Orange County District Attorney's Office also is active in training other prosecutors in case law and prosecution strategies. The San Diego County District Attorney's Office has worked on the local gang/drug task force and developed their expertise in prosecuting gang and drug cases, including those occurring between the California/Mexico border.

B. PREVENTION COMPONENT

This component is designed to prevent gang-related violent crimes by working directly with gang members, potential gang members and their parents. The legislation specifies two levels of prevention services which may be provided by community-based organizations (CBOs). The "full service" projects provide services in the community and in the schools, enhance witness cooperation and work closely with law enforcement. The "school prevention and intervention" projects are required only to implement school-related projects and develop activities which encourage participation in alternative programs.

1. Prevention Component Description

Each of the full service community-based projects has three primary functions, targeting different segments of the community.

- The projects are to provide direct assistance to gang members and potential gang members. The assistance includes vocational training, job placement assistance, organized sports activities and special education programs.
- Project staff must interact with all elements of the local criminal justice community to coordinate gang diversion activities and resolve conflicts. Representatives from the prevention projects must belong to each local gang task force. Additionally, staff work both formally and informally to prevent or diffuse potentially violent situations.
- Education programs for students, parents and other community members to deter violent gang actions must be implemented.

Project staff speak at Parent-Teacher Association (PTA) meetings and to church groups, participate on school attendance review boards or task forces, work with Neighborhood Watch programs and interact with similar groups to provide information concerning gangs and gang activities.

Each of the school prevention and intervention projects has three primary functions.

- To develop strong cooperation with the education, law enforcement, probation, prevention and prosecution components to coordinate roles and activities.
- To develop in-school or after-school prevention and intervention activities to discourage students from joining gangs.
- To develop alternatives to gang membership. Encourage students to participate in alternative activities. Provide information, resources and referrals for parents and teachers on alternatives to gang involvement.

Prevention projects may rely heavily on the expertise of former gang members. Many of these individuals volunteer their time or work on an as-needed basis, particularly in situations requiring mediation. For the most part, salaries of project staff are only partially covered by OCJP grant funds. The staff principally involved with gang diversion are project managers and administrators, community workers and youth workers.

2. Prevention Component Objectives

The prevention projects use the techniques discussed above to achieve the following:

Full Service Projects

- a. Maintain a close, cooperative working relationship with local law enforcement and prosecution officials, particularly by assisting such officials to distinguish between gangs involved in serious crime and groups of young people involved in unlawful activity which is not of a violent or serious nature;
- b. Maintain a close, cooperative working relationship with local school representatives through efforts such as training school personnel in gang violence suppression techniques;
- c. Carry out conflict resolution and counseling services to suppress potential violent criminal activity by gang members and potential gang members;
- d. Increase witness cooperation through coordination with local law enforcement and prosecutors, and by education of the community about the roles of these governmental agencies and the availability of witness protection services;

- e. Prevent violent gang-related crimes through mediation and direct involvement, keeping local law enforcement agencies advised when project staff is unable to prevent the commission of violent criminal acts;
- f. Redirect gang members and their activities to more constructive behavior, including at least one of the following:
 - vocational training and job placement
 - competitive sports and athletics
 - school and community service activities
 - return dropouts to school
 - refer gang members, as needed, to appropriate agencies for the treatment of health, psychological and drug-related problems; and
- g. Enhance coordination among agencies involved in the suppression of gang violence, including law enforcement, defense, prosecution, probation, schools and community organizations.

School Prevention and Intervention Projects

- a. Discourage students from joining gangs.
- b. Offer or encourage students to participate in alternative programs.

3. Prevention Component Implementation

Ten projects received \$751,174 in FY 1986/87 to implement full service projects. Additionally, four sites received \$25,000 each to implement school intervention projects.

All of the organizations selected to carry out this program component are located in counties which have a GVS prosecution unit. By working together, prevention and prosecution operating projects in the same community enhance their ability to identify gangs, gang members and potential gang members and increase their ability to correctly distinguish criminal from non-criminal activity. It also assists in gathering crime statistics, and in establishing and maintaining law enforcement/community organization networks.

Full Service Projects

An important aspect of a CBO's success in preventing gang involvement is its ability to mirror community needs with their services. An understanding of the cultural makeup of the community, a sensitivity to changes within the community and the ability to adjust service needs within the community are important factors in preventing gang

involvement. It is essential that projects have these characteristics and maintain a strong working relationship with criminal justice agencies.

One of the original projects successfully achieving these goals is SEY YES, Inc., which has worked diligently in the Los Angeles area. They have demonstrated an ability to work directly with local youth, parents and school officials to prevent and resolve problems, and at the same time work well with the formal criminal justice system. Community training sessions are routinely held, sports events are sponsored to engage youth, and the staff works to quell potentially violent situations. As part of their services, the executive director is often invited to update law enforcement on the emerging issues in the service area.

One of the newest grants, the Vietnamese Community Center of Orange County, also strongly reflects these attributes. The project is staffed by Vietnamese who have successfully completed the transition from refugees to proactive citizens helping others to become productive community members. The project notes that newly arrived youth from cultures outside the United States are greatly at risk to gang involvement. The utilization of volunteers has enabled them to provide a variety of services beyond counseling and diversion activities. Some of the project services that meet the needs of new arrivals include training, job development and placement services, English as a second language courses, and the translation and dissemination of a booklet explaining laws to youth and their parents. The project, understanding the impact of large numbers of new arrivals in an established community, also has worked to educate the community at-large to assist in assimilating them into its mainstream.

Turning Point in Orange County and The Council for the Spanish Speaking in San Joaquin County are two other GVS funded projects that are successful in understanding different cultures and working to assimilate new cultural elements into the mainstream.

Understanding the need for youth to have an outlet for their energies, to obtain a sense of belonging and to achieve recognition, several GVS projects provide sports programs as positive alternatives to gang involvement. The Community Youth Sports and Arts Foundation uses well-known sports personalities as positive role models. Many sports figures work directly with the project to visit incarcerated youth and to appear on taped public service messages. They are also able to provide the youth in their Los Angeles service area with the opportunity to attend a variety of professional sports events. Opportunities to participate in competitive individual and team sports and to attend sporting events are provided by the project.

Chino Recreation Gang Diversion runs a popular boxing program that has been successful in diverting local youth from gang activity as well as offering opportunities for recognition and a sense of personal accomplishment. The project utilizes the "Boxer of the Month" program, competitive activities, and opportunities to attend

sporting events to motivate youth to improve school performance and maintain acceptable non-criminal behavior. This year one youth was selected to compete in the USA Amateur Boxing Federation Junior Olympic National Championships in Marquette, Michigan.

In San Diego, the Youth and Community Services project provides training in gang dynamics, violence suppression and conflict resolution to school personnel, parents and community members. At risk and gang involved youth are provided individual and family counseling and employment services in either English and Spanish, as appropriate. The project participates on a task force consisting of members from law enforcement, prosecution, probation, defense attorneys, schools, other CBOs and the judiciary. One of the task force's goals is to establish a "crisis intervention system" within the group for the purpose of information, referral and prevention.

School Prevention and Intervention Projects

The four CBOs selected to implement school prevention and intervention projects were Turning Point in Orange County, the Council for the Spanish Speaking in San Joaquin County, and Helpline and SEY YES, Inc. in Los Angeles County. The initial grant awards were for a period less than six months with start-up funding of \$25,000. All four projects, contingent upon satisfactory performance, will receive full year funding at \$50,000.

Although several of the projects reported delays in implementation, some significant accomplishments were achieved in the first months of operation. Turning Point developed two training manuals; a gang prevention and intervention program curriculum for state and county correctional facilities and one for elementary and junior high schools. The Council for the Spanish Speaking introduced a supervised summer athletics program at a local gymnasium.

C. LAW ENFORCEMENT COMPONENT

The identification, investigation and apprehension of perpetrators of gang violence is the goal of the law enforcement component.

1. Law Enforcement Component Description

Law enforcement projects are required to undertake the following:

- Establish an identifiable GVS unit within the agency and assign highly qualified and trained personnel to the unit. The unit is responsible for identifying gang members and gang-related activities, investigating suspected and reported gang activity, apprehending offenders and providing the district attorney's office with the information necessary for successful prosecutions.
- Concentrate efforts on individuals identified in accordance with the established GVS selection criteria. As a result of the specialized GVS units, the agency must be able to increase the

number of individuals identified as gang members and the number arrested for violent gang-related crimes. The efforts of the unit must concentrate on improving the clearance rate of reported crimes targeted as gang-related.

- Utilize crime analysis capabilities and establish a system for the GVS unit and the crime analysis unit to work together to gather, analyze and disseminate information.
- Maintain an outreach program designed to inform local prosecutors, probation officers, parole agents, schools and CBOs of the existence of the GVS unit. Work with them to develop the criteria used to identify gang members and the written procedures for the exchange of information.
- Work with other agencies involved in the prevention and suppression of gang violence to implement consistent and compatible data systems.
- Work with the district attorney's office and develop a written procedure to protect witnesses from intimidation and retribution.

2. Law Enforcement Component Objectives

The law enforcement projects are to accomplish the following:

- a. Form specialized gang violence suppression units;
- b. Increase apprehension of hard core gang members;
- c. Increase the clearance rate of reported crimes which are gang-related;
- d. Maintain crime analysis capability for gang-related criminal activity;
- e. Enhance coordination among agencies involved in the suppression of gang violence, including prosecution, probation, parole, schools and CBOs; and
- f. Increase coordination with other agencies to protect cooperating witnesses from intimidation and retribution.

3. Law Enforcement Component Implementation

The eleven law enforcement agencies which implement the Law Enforcement Component are all located in counties with active GVS prosecution units. Of the eleven, six operated less than six months and will be included in the next annual report. The new projects, issued after the beginning of the fiscal year, were funded as a result of the Request-for-Proposals developed for the expanded program and increased budget.

The display of cooperation between projects has been especially

evident in the Los Angeles area where the probation department and the two largest law enforcement agencies -- the Los Angeles County Sheriff's Department and the Los Angeles Police Department -- prepared and submitted companion grants for the "Gang, Reporting, Evaluation and Tracking (GREAT)" system. Five other law enforcement agencies within the area agreed to work with these agencies. Together they are working to improve communications and to standardize the collection of gang-related information. The volume of cases and the number of agencies in the Los Angeles area make this a monumental effort and one of great importance. As stated in the CCCJ State Task Force on Youth Gang Violence report, the lack of gang information available across jurisdictional boundaries creates a handicap for law enforcement and this response in the Los Angeles area is a critical step in correcting that problem. In Los Angeles County a special committee has been established to assist in the development and implementation of the GREAT system. With over ninety law enforcement agencies in Los Angeles County, cooperation is imperative for them to achieve their goals.

Grant funds have allowed other agencies to establish needed specialized units, and to adequately equip and train the officers assigned to them. In Sacramento, the size of the unit was doubled at the end of the first year with the assignment of two non-grant funded officers to deal with increases in gang/drug activities reportedly instigated by members of Los Angeles area Black gangs moving north.

The San Francisco Police Department has been able to increase the surveillance of Chinese and Southeast Asian gang members, inhibiting the gangs' criminal activities and increasing the San Francisco Police Department's intelligence data base. Monterey Park and Baldwin Park were able to re-establish specialized units and to expand their ability to collect and analyze criminal gang activities.

D. PROBATION COMPONENT

The probation component is designed to strictly enforce court-ordered conditions of probation for gang members.

1. Probation Component Description

Probation departments must concentrate efforts and resources on individuals identified in accordance with the established GVS selection criteria.

Probation departments must engage in the following activities:

- Establish an identifiable GVS unit within the department and assign highly qualified and trained personnel. The GVS unit must provide intensive supervision of the probationers assigned to the unit. The caseload in the GVS unit must be less than the average standard caseload. The caseload must be reduced by one-third or not exceed 50 probationers per deputy probation officer, whichever is less.

- Develop written criteria and procedures to determine which probationers will be assigned to the GVS unit. The selection criteria must be approved in writing by the district attorney.
- Inform all probationers assigned to the GVS unit what types of behavior are prescribed and/or forbidden. Document the provisions of this notice.
- Inform probationers, in writing, that all court-ordered conditions of probation will be strictly enforced and that all violations will be reported to the court through the district attorney's office. Provide copies of the probation orders to both the law enforcement and prosecution GVS units for each probationer assigned to the unit.
- Develop written procedures for strictly enforcing all conditions of probation, and coordinate the development of the procedures with the prosecution and law enforcement GVS units. Work with the district attorney's office to ensure that the court-ordered conditions of probation are consistently enforced.
- Work with CBOs to ensure that probationers adhere to their court-ordered conditions.

2. Probation Component Objectives

The objectives for probation projects are to:

- a. Establish intensive supervision units;
- b. Coordinate with law enforcement and prosecution personnel to develop specific conditions of probation;
- c. Ensure court-ordered conditions of probation are strictly and consistently enforced; and
- d. Enhance coordination among agencies involved in the suppression of gang violence, including law enforcement, prosecution, parole, schools and CBOs.

3. Probation Component Implementation

Six projects have been funded to operate projects dealing with gang members on probation. These projects must maintain very close working relationships with law enforcement, prosecution and CBOs in order to be effective. Probation is in a pivotal position when dealing with gang members. The intensive supervision afforded those assigned to their caseload gives some gang members the impetus and support to change their destructive lifestyle, while quickly removing from the community those who are unwilling to change.

In Los Angeles, the probation department has undertaken two separate projects. The first is a "companion project" to the efforts of the Los Angeles Police Department and the Los Angeles County Sheriff's

Department to develop and operate the GREAT system discussed on page 12. The second is an experimental effort to use electronic surveillance equipment to monitor a selected segment of their gang caseloads.

Most of the projects' designated deputy probation officers work with the probationers from Hispanic, Black or Asian gangs. The officers develop an understanding of the culture of the gang(s) they work with, as well as a knowledge of individuals belonging to them.

E. EDUCATION COMPONENT

The California Legislature has found evidence that:

- parents of gang members lack appropriate parenting skills;
- drug activity is increasing among youths involved in gang activity;
- gang members have limited contact with positive role models; and
- most gang members lack basic educational skills.

The education component is designed to address these findings by providing a prevention curriculum to solidify anti-gang attitudes and, as students enter middle and high schools, to include intervention services.

1. Education Component Description

Gang involvement often begins at a young age. Involvement by the education system is imperative if efforts to prevent the spread of gang violence are to succeed. During the preteen years, a prevention curriculum to solidify anti-gang attitudes is needed. As students enter middle and high schools, the emphasis must be expanded to include intervention.

Mandatory and optional program objectives are listed on the following pages for local school districts, county offices of education or any consortium thereof operating a project. Agencies implementing projects were strongly encouraged to include optional objectives related to parent education and to strengthening school policies.

In addition to the three mandatory objectives, schools implementing the education component are encouraged to incorporate other objectives to accomplish the GVS Program goals. To accomplish the objectives, corresponding mandatory and suggested activities are listed below in priority order. Individual projects may select those which reflect the needs in their community.

Mandatory Activities

- Review, with law enforcement representatives or a local steering committee, existing prevention programs designed to discourage gang and drug involvement, or those which may be adapted to accomplish that goal. Once the review is completed, select the

most appropriate curriculum for the target school(s). The curriculum must address the role of peer pressure and offer the students techniques to say "No" to gang involvement.

- Work with the school district and school site staff to train appropriate staff to implement the curriculum.
- Develop an intervention strategy for gang-involved students. The strategy should include how students are identified, the role of teachers, services available and school district policies and procedures.
- Participate on the local task force coordinated by the District Attorney's Office. Working with the task force, determine the need and appropriateness of establishing a subcommittee to focus more specifically on the education component. If appropriate, identify members of the community interested in serving on the local task force. Work with the committee to develop and meet specific objectives for the committee and for the project.

Optional Activities

- Review existing parent education programs. Organize, publicize and present the information in a manner most suited to the needs of the community.
- Work with the school board, teachers, law enforcement, probation, parole, parent groups and community representatives to review existing rules, policies and procedures and to make any required alterations. Establish a cooperative agreement with local law enforcement agencies specifying their roles and responsibilities.
- Monitor the progress of follow-up activities.
- Work with CBOs to develop after-school activities.
- Review adopt-a-youth and similar programs and determine how such efforts can be successful in the community. Contact local businesses and community service groups to encourage their involvement.
- Review the established gang prevention curricula with local law enforcement to determine when references to the relationship between gang activities and drug involvement can be incorporated.
- Work with the business community, CBOs and criminal justice agencies to accomplish project objectives.

2. Education Component Objectives

The education projects work in the schools to achieve the following:

Mandatory Objectives

- a. Develop or adopt and implement a gang violence prevention curriculum appropriate to the grade level of the students to whom it is delivered.
- b. Provide intervention services for gang-involved youth.
- c. Enhance coordination among agencies involved in the suppression of gang violence, including law enforcement, prosecution, probation and CBOs.

Optional Objectives

- a. Develop and distribute information concerning parent education and parenting classes, including methods whereby parents may recognize youth gang involvement.
- b. Establish and enforce clear and specific rules, policies and procedures which promote a safe and violence free environment conducive to academic progress. At a minimum, this will include gang attire, graffiti and the role of school security and local law enforcement.
- c. Develop methods of assuring follow-up services for school age children receiving the initial gang violence prevention and intervention services.
- d. Identify and utilize the resources of appropriate CBOs involved in the coordination of after-school activities for school-aged youth.
- e. Establish contact between positive role models and youth involved in gang activity through adopt-a-youth or similar programs.
- f. Incorporate into gang prevention activities references to the relationship between drug abuse and gang violence.
- g. Develop partnerships between schools and businesses for the purpose of enhancing pupil achievement through tutorial services, field trips, role modeling and other supportive services.

3. Education Component Implementation

Eight local school districts were awarded a total of \$1,138,491 to implement education component projects.

III. PROGRAM ACCOMPLISHMENTS

A. PROSECUTION COMPONENT

During FY 1986/87, project accomplishments included the following:

- 546 defendants were prosecuted; 78% were convicted.
- Of those prosecuted, 79% were in custody at the time of their trial.
- The average caseload of GVS unit prosecutors was 52% below the average for their non-program colleagues.
- 298 defendants (55%) were convicted on the most serious charge filed. Of these, 156 defendants (29%) pled guilty.
- The average length of sentence for convicted defendants was 4.9 years. In addition, 30 defendants received capital sentences and 22 were sentenced to life. Only 20 convicted defendants were not incarcerated.
- 347 enhancements were filed and 131 (38%) were sustained.
- Task forces met regularly in eight counties with GVS units. On the average, 12 agencies were represented on each task force.
- Working relationships among agencies continued to improve. As an example, prosecutors were able to work with other local, state and federal agencies with increasing frequency. This cooperation included the federal Immigration and Naturalization Service providing photos of suspects for victims to review, and cross-designating prosecutors which allows them to prosecute in federal court.
- 108 witnesses needed protection and were assisted with relocation and the prosecution of those intimidating them.

B. PREVENTION COMPONENT

Projects reported success in meeting their objectives. Some of the accomplishments included the following:

- Project staff maintained cooperative working relationships with law enforcement, probation officers, parole agents, judges, defense attorneys and prosecutors. They had over 1,898 contacts with criminal justice agencies, averaging 118 contacts per project with law enforcement and 194 contacts per project with probation.
- An average of eight local gang task force meetings per project were attended.
- An average of 12.8 training sessions for school personnel per project were held with an average of 380 individuals attending each session.

They were given information about gang identification and violence suppression techniques.

- Project staff mediated in 521 potentially violent situations between gangs, gang members and the community, and gangs and other youth groups.
- The number of parents attending project presentations on gang identification, the importance of witness cooperation and violence suppression techniques increased from 470 during FY 1985/86 to 1,241 parents during FY 1986/87.
- Over 1,400 individual and group counseling sessions were attended by 319 gang and potential gang members. Counseling topics included gang membership, school attendance, school performance and family problems.
- 34 meetings were conducted to inform the community about the availability of witness protection services. Projects worked with law enforcement personnel to meet with school, church and community groups for this purpose. Law enforcement was contacted by projects 108 times requesting witness protection.
- Efforts to redirect gang members into other activities included 1,979 youth. This has been achieved through vocational training and job placement, athletics, school and community activities and returning dropouts to school.
- 467 clients were referred for health, psychological or drug problems.

In addition to the types of activities described above, these projects undertake other activities as local needs require and resources permit. As an example, at least one project supervises graffiti removal efforts in their community.

School Prevention and Intervention Projects

Although the projects reported some success in meeting their objectives, all the statistics reflect less than six months of operation, at least one month of which the schools were not in session. The new projects were funded as a result of the Request-for-Proposals developed for the expanded program and increased budget, and issued after the beginning of the fiscal year. It is anticipated that statistics for the first full year of operation will more accurately reflect the impact of these projects on at-risk and gang-involved youth. The first stages of these projects involve finding and adapting curriculum, training instructors, and resolving scheduling conflicts and, therefore, do not immediately impact a large number of students.

- 22 elementary, middle and high schools were served by projects.
- 163 classroom or group presentations were made to discourage students from joining gangs.
- Services were provided directly to 1,968 individual students.

- 1,234 students reported a negative attitude toward gangs and gang membership after hearing the presentations. Projects used pre- and post-tests to verify that their presentations made joining a gang less attractive.
- Working with school staff, project staff identified 519 students as gang-involved.
- Each project reported an average of three gang diversion strategies involving the participation of 539 students.

C. LAW ENFORCEMENT COMPONENT

The five law enforcement agencies which operated for the entire year accomplished the following:

- Over 7,100 gang members were arrested. Of those arrests, almost 5,200 cases (73%) were referred for prosecution.
- In the target area, gang-related crimes totaled 1,389, or 25% of the total crimes reported. Homicides accounted for 233 of the crimes, 17% of all gang-related crime.
- Projects reported that 3,106 crimes were cleared by arrest, or 55% of all crimes reported.
- Projects were able to identify 516 separate gangs, with an estimated membership exceeding 40,000.
- 243 local task force meetings were held to share intelligence information and to implement a comprehensive community strategy to suppress gang violence. In addition, 771 meetings with prosecutors, 762 meetings with probation, and 130 meetings with the judiciary were attended to resolve procedural problems, discuss intelligence information or specific cases. Staff interacted frequently with CBOs and schools as well, attending 292 meetings in the community and 415 in schools to provide information to the community about the problems of gang violence.
- The law enforcement agencies participating in the GREAT system have agreed on the data elements to be collected on gang crimes and each department has entered the information in its system. The agencies participating in GREAT have begun planning for the later phases of operation when the information will be accessible to all law enforcement agencies in the greater Los Angeles area.

D. PROBATION COMPONENT

Projects reported success in meeting their objectives. Some of the accomplishments included the following:

- The specialized units have an average caseload of 56.6 probationers, compared to the department averages of 244.1.

- 1,496 probationers newly assigned to the projects. All of them had special Conditions of Probation because of their gang activities, as required by the program.
- 2,814 probationers were released from active probation. The majority of them, 1,450 (52%), successfully completed their probation, while the second largest group of 851 probationers (30%) were committed to local or state correctional institutions.
- Probation violations were processed for 896 youth. Of those, 420 (47%) went to a county facility, 263 (29%) to the Department of the Youth Authority and 158 (18%) to the Department of Corrections.
- 700 probationers were ordered to pay fines and 1,389 to pay restitution in addition to being placed in an intensive supervision unit.
- Deputy probation officers met with prosecutors to discuss policy issues 20 times, law enforcement 33 times, and courts 16 times.

E. EDUCATION COMPONENT

Due to the short time the projects were operating prior to summer recess, statistical data will be reported after a full year of funding in the next annual report. It is anticipated that statistics for the first full year of operation will more accurately reflect the impact of these projects on at-risk and gang-involved youth. The first stages of these projects involve finding and adapting curriculum, training instructors, and resolving scheduling conflicts and, therefore, do not immediately impact a large number of students.

Preliminary reports indicate some significant accomplishments have been achieved. Several projects have developed gang violence prevention curriculum. In addition to covering gang awareness, identification, consequences of gang membership and standard gang-related topics, the Anaheim Union High School District has produced a curriculum which covers a wide variety of gang issues. The curriculum contains a resource directory and sections regarding self-esteem, peer pressure, substance abuse, consequences and responsibility as natural occurrences, problem solving, goal setting and attainment, and understanding your own and other cultures.

IV. PROGRAM FUTURE

Communities throughout the state continue to report increased drug dealing by gangs. To address this growing problem, OCJP has made a commitment to enhance anti-gang efforts with anti-drug abuse activities. Additional federal Safe Schools and Community Act funds will allow five to nine of the education and prevention projects to expand their operations to reduce youth gang involvement with drugs. During FY 1987/88 the federal funds will be used for the following new activities:

1. To implement the optional Education Component objective, "Incorporate into gang prevention activities references to the relationship between drug abuse and gang violence."
 - a. To adapt the curriculum to include drug prevention;
 - b. To test the curriculum in a limited number of schools; and
 - c. To train instructors and trainers to present the tested curriculum.
2. To train parents, teachers and judges to demonstrate the relationship between drug and gang involvement and improve their ability to use the existing community resources (e.g., standard school policies, probation enforcement, social services, parks and recreation, churches and service organizations).
 - a. To develop and/or publicize strategies for parents to ensure their children do not become or stay drug/gang involved.
 - b. To sponsor local community meetings which involve GVS projects, community-based organizations (CBOs), parents, criminal justice agencies, schools, local businesses, churches and local media to develop and monitor a community action plan to achieve the goals listed above.
3. To involve the community in abating the increase in drug/gang activities by sponsoring special activities that are incentives for non-gang and non-drug involved behavior for individuals and/or groups (e.g., improved school attendance, improved behavior by students, decreased drug and gang incidents on campus and reduced graffiti on campus).
4. To train students in conflict resolution techniques by expanding the activities of education and prevention projects to offer such training.

The progress of these activities will be included in the next annual report.

V. CONCLUSIONS AND RECOMMENDATIONS

The Gang Violence Suppression (GVS) Program has been successful. The special vertical prosecution units established through the GVS Program were able to successfully prosecute a high percentage of gang-involved defendants placed on their caseload. Most of the defendants (55%) were convicted on the most serious charge filed and received an average sentence of almost five years. This is attributed to the smaller caseloads, the expertise of the staff assigned to the units and the use of vertical prosecution techniques. These successes have resulted in the commitment of additional local financial support to enhance the activities initiated with this state program.

The performance of the CBOs implementing the prevention component continued to improve. They have increased the number of school staff and parents who can identify gang members and potentially violent situations. They have counseled many gang members and potential gang members. Most importantly, they have provided these youth with information on how to lead their lives without being gang-involved.

The new law enforcement and probation department projects report that their participation in the GVS Program has already improved their capability to deal with the gang violence problem. An important step has been taken to computerize information on gang-related criminal activities. Law enforcement, prosecution and probation agencies are working together to develop a regional information base. Probation departments are routinely providing law enforcement agencies with conditions of probation so that probationers continuing their gang involvement can be monitored better.

Local agencies not funded by the GVS Program throughout the state have expressed interest in working with the program to combat gang violence. The reported increase in gang violence has prompted the interest of many communities previously free of this serious threat. These communities are looking at every available resource. The five components of the GVS Program can be an important part of any community's response to the problem. Based on the success of the GVS projects and the increasing gang violence threat to the well-being and safety of citizens, OCJP recommends the continued support of the GVS Program.

APPENDICES

Assembly Bill No. 788

CHAPTER 1030

An act to add Chapter 3.5 (commencing with Section 13826) to Title 6 of Part 4 of the Penal Code, relating to crimes.

[Approved by Governor September 30, 1981. Filed with Secretary of State September 30, 1981.]

LEGISLATIVE COUNSEL'S DIGEST

AB 788, Martinez. Crimes.

(1) Existing law provides for an Office of Criminal Justice Planning to develop a statewide plan for the improvement of criminal justice activity, to define, develop, and correlate programs and projects, and for various related purposes.

This bill would establish the Gang Violence Suppression Program within the Office of Criminal Justice Planning to provide for financial and technical assistance for district attorneys' offices, as specified.

(2) The bill would become operative only if federal funds are made available.

The people of the State of California do enact as follows:

SECTION 1. Chapter 3.5 (commencing with Section 13826) is added to Title 6 of Part 4 of the Penal Code, to read:

CHAPTER 3.5. GANG VIOLENCE SUPPRESSION

13826. The Legislature hereby finds and declares that violent activity by gangs is a serious and growing problem in the State of California. In enacting this chapter, the Legislature intends to support increased efforts by district attorneys' offices to prosecute the perpetrators of gang violence through organizational and operational techniques that have been proven effective in selected counties in this and other states.

13826.1. (a) There is hereby established in the Office of Criminal Justice Planning a program of financial and technical assistance for district attorneys' offices, designated the Gang Violence Suppression Program. All funds appropriated to the Office of Criminal Justice Planning for the purposes of this chapter shall be administered and disbursed by the executive director of the office in consultation with the California Council on Criminal Justice, and shall to the greatest extent feasible be coordinated or consolidated with federal funds that may be made available for these purposes.

(b) The executive director is authorized to allocate and award funds to counties in which gang violence suppression units are established in substantial compliance with the policies and criteria

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set forth in this chapter.

(c) The allocation and award of funds shall be made on the application of the district attorney of the county and with the approval of the board of supervisors. Funds disbursed under this chapter shall not supplant local funds that would, in the absence of the Gang Violence Suppression Program, be made available to support the prosecution of gang-related criminal cases.

(d) On or before April 1, 1982, the executive director shall prepare and issue written program and administrative guidelines and procedures for the Gang Violence Suppression Program, consistent with this chapter. In addition to all other formal requirements that may apply to the enactment of the guidelines and procedures, a complete and final draft of the guidelines and procedures shall be submitted on or before March 1, 1982, to the chairpersons of the Criminal Justice Committee of the Assembly and the Judiciary Committee of the Senate of the California Legislature.

(e) Annually, commencing November 1, 1983, the executive director shall prepare a report to the Legislature describing in detail the operation of the statewide program and the results obtained by gang violence prosecutor units of district attorneys' offices receiving funds under this chapter and under comparable federally financed awards.

(f) Criteria for selection of district attorneys to receive gang violence suppression funding shall be developed in consultation with the Gang Violence Suppression Advisory Committee whose members shall be appointed by the Executive Director of the Office of Criminal Justice Planning.

(g) The Gang Violence Suppression Advisory Committee shall be composed of five district attorneys; three attorneys primarily engaged in the practice of juvenile criminal defense; three law enforcement officials with expertise in gang-related investigations; one member from the California Youth Authority Gang Task Force nominated by the Director of the California Youth Authority; one member of the Department of Corrections Law Enforcement Liaison Unit nominated by the Director of the Department of Corrections; and one member from the Department of Justice nominated by the Attorney General.

13826.2. Gang violence prosecution units receiving funds under this chapter shall concentrate enhanced prosecution efforts and resources upon cases identified under criteria set forth in Section 13826.3. Enhanced prosecution efforts shall include, but not be limited to:

(a) "Vertical" prosecutorial representation, whereby the prosecutor who makes the initial filing or appearance in a gang-related case will perform all subsequent court appearances on that particular case through its conclusion, including the sentencing phase.

(b) Assignment of highly qualified investigators and prosecutors

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to gang-related cases.

(c) Significant reduction of caseloads for investigators and prosecutors assigned to gang-related cases.

(d) Measures taken in coordination with law enforcement agencies to protect cooperating witnesses from intimidation or retribution at the hands of gang members or associates.

13826.3. (a) An individual shall be subject to gang violence prosecution efforts who is under arrest for the commission or the attempted commission of any gang-related violent crime where the individual is (1) a known member of a gang, and (2) has exhibited a prior criminal background.

(b) For purposes of this chapter, gang-related means that the suspect or victim of the crime is a known member of a gang.

(c) For purposes of this chapter, gang violence prosecution includes both criminal prosecutions and proceedings in Juvenile Court in which a petition is filed pursuant to Section 602 of the Welfare and Institutions Code.

13826.4. The Office of Criminal Justice Planning and the California Council on Criminal Justice are encouraged to utilize any federal funds that may become available for purposes of this act. This act becomes operative only if federal funds are made available for its implementation.

Assembly Bill No. 2682 .

CHAPTER 1093

An act to amend Sections 13826 and 13826.1 of, to amend, renumber, and add Section 13826.4 of, and to add Sections 13826.5 and 13826.6 to, the Penal Code, relating to crimes.

[Approved by Governor September 15, 1982. Filed with Secretary of State September 16, 1982.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2682, Torres. Crimes.

Existing law establishes in the Office of Criminal Justice Planning the Gang Violence Suppression Program to provide for financial and technical assistance for district attorneys' offices and which is operative only if federal funds are made available.

This bill would make various changes in the provisions relating to the Gang Violence Suppression Program to permit financial and technical assistance to be provided to local law enforcement agencies, county probation departments and community-based organizations in addition to district attorneys' offices. The purpose of this assistance would be to provide enhanced law enforcement and probation enforcement and community programs relating to suppression of gang violence.

The people of the State of California do enact as follows:

SECTION 1. Section 13826 of the Penal Code is amended to read: 13826. The Legislature hereby finds and declares that violent activity by gangs is a serious and growing problem in the State of California. In enacting this chapter, the Legislature intends to support increased efforts by district attorneys' offices to prosecute the perpetrators of gang violence, support increased efforts by local law enforcement agencies to identify, investigate, and apprehend perpetrators of gang violence, support increased efforts by county probation departments to intensively supervise gang members who are on court-ordered probation, and support gang violence suppression efforts by community-based organizations.

SEC. 2. Sections 13826.1 of the Penal Code is amended to read:

13826.1. (a) There is hereby established in the Office of Criminal Justice Planning, the Gang Violence Suppression Program, a program of financial and technical assistance for district attorneys' offices, local law enforcement agencies, county probation departments, and community-based organizations which are primarily engaged in the suppression of gang violence. All funds appropriated to the Office of Criminal Justice Planning for the purposes of this chapter shall be administered and disbursed by the

executive director of the office in consultation with the California Council on Criminal Justice, and shall to the greatest extent feasible be coordinated or consolidated with federal funds that may be made available for these purposes.

(b) The executive director is authorized to allocate and award funds to cities, counties, and community-based organizations in which gang violence suppression programs are established in substantial compliance with the policies and criteria set forth in this chapter.

(c) The allocation and award of funds shall be made on the application of the district attorney, chief law enforcement officer or chief probation officer of the applicant unit of government and approved by the legislative body, or on the application of the chief executive of a community-based organization. Funds disbursed under this chapter shall not supplant local funds that would, in the absence of the Gang Violence Suppression Program, be made available to support the activities set forth in this chapter. Funds awarded under this program as local assistance grants shall not be subject to review as specified in Section 14780 of the Government Code.

(d) On or before April 1, 1983, the executive director shall prepare and issue written program and administrative guidelines and procedures for the Gang Violence Suppression Program, consistent with this chapter. In addition to all other formal requirements that may apply to the enactment of the guidelines and procedures, a complete and final draft of the guidelines and procedures shall be submitted on or before March 1, 1983, to the Chairpersons of the Criminal Justice Committee of the Assembly and the Judiciary Committee of the Senate of the California Legislature. These guidelines shall set forth the terms and conditions upon which the Office of Criminal Justice Planning is prepared to offer grants of funds pursuant to statutory authority. The guidelines do not constitute rules, regulations, orders or standards of general application.

(e) Annually, commencing November 1, 1984, the executive director shall prepare a report to the Legislature describing in detail the operation of the statewide program and the results obtained by district attorneys' offices local law enforcement agencies, county probation departments, and community-based organizations receiving funds under this chapter and under comparable federally financed awards.

(f) Criteria for selection of district attorneys' offices, local law enforcement agencies, county probation departments, and community-based organizations to receive gang violence suppression funding shall be developed in consultation with the Gang Violence Suppression Advisory Committee whose members shall be appointed by the Executive Director of the Office of Criminal Justice Planning.

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(g) The Gang Violence Suppression Advisory Committee shall be composed of five district attorneys; two chief probation officers; two representatives of community-based organizations; three attorneys primarily engaged in the practice of juvenile criminal defense; three law enforcement officials with expertise in gang-related investigations; one member from the California Youth Authority Gang Task Force nominated by the Director of the California Youth Authority; one member of the Department of Corrections Law Enforcement Liaison Unit nominated by the Director of the Department of Corrections; and one member from the Department of Justice nominated by the Attorney General.

SEC. 3. Section 13826.4 of the Penal Code is amended and renumbered to read:

13826.7. The Office of Criminal Justice Planning and the California Council on Criminal Justice are encouraged to utilize any federal funds that may become available for purposes of this act. This act becomes operative only if federal funds are made available for its implementation.

SEC. 4. Section 13826.4 is added to the Penal Code, to read:

13826.4. Law enforcement agencies receiving funds under this chapter shall concentrate enhanced law enforcement efforts and resources upon cases identified under criteria set forth in Section 13826.3. Enhanced law enforcement criteria efforts shall include, but not be limited to:

(a) The formation of a specialized gang violence unit whose staff shall be composed of the most highly qualified and trained personnel.

(b) The efforts of the gang violence unit shall include, but not be limited to:

(1) Increased efforts to apprehend, prosecute, and convict violent "hard core" target gang members.

(2) Increasing the clearance rate of reported crimes which are targeted as gang related.

(3) Establishing more positive relations with, and encouraging the support of local citizens, community-based organizations, business representatives, and other criminal agencies.

(4) Aiding and assisting other criminal justice and governmental agencies in protecting cooperating witnesses from intimidation or retribution at the hands of gang members and their associates.

(c) Law enforcement agencies receiving funds under this program shall maintain a crime analysis capability which provides the following type of information:

(1) Identification of active gang members who have exhibited a prior criminal background.

(2) Identification of evolving or existing crime patterns that are gang related.

(3) Providing investigative leads.

(4) Maintaining statistical information pertaining to gang related criminal activity.

SEC. 5. Section 13826.5 is added to the Penal Code, to read:

13826.5. County probation departments receiving funding under this chapter shall strictly enforce court-ordered conditions of probation for gang members.

(a) County probation departments supported under the Gang Violence Suppression Program shall implement the following activities:

(1) A Gang Violence Intensive Supervision Unit dealing with gang members shall be established.

(2) Criteria used to determine which probationer shall be assigned to the Gang Violence Intensive Supervision Unit shall be approved by the district attorney having a Gang Violence Prosecution Unit described in Section 13826.2.

(3) Probationers whose cases are assigned to the intensive supervision unit must be informed of what types of behavior are prescribed or forbidden. Such notice shall be provided in both oral and written form.

(4) Probationers whose cases are assigned to the intensive supervision unit must be informed, in writing, that all court-ordered conditions of probation will be strictly enforced.

(5) Deputy probation officers in the intensive supervision unit shall have reduced probationer caseloads and shall coordinate their supervision efforts with law enforcement and prosecution personnel. Such coordination shall include informing law enforcement and prosecution personnel of the conditions set for probationers and of the strict enforcement procedures to be implemented.

(6) Deputy probation officers in the intensive supervision unit shall coordinate with the district attorney in insuring that court-ordered conditions of probation are consistently enforced.

(7) Intensive supervision unit deputy probation officers shall coordinate, whenever feasible, with community-based organizations in seeking to ensure that probationers adhere to their court-ordered conditions.

SEC. 6. Section 13826.6 is added to the Penal Code, to read:

13826.6. For purposes of this chapter, a "community-based" organization is defined as a nonprofit operation established to serve gang members, their families, schools, and the community with programs of community supervision and service which maintain community participation in the planning, operation and evaluation of their programs.

(a) Community-based organizations supported under the Gang Violence Suppression Program shall implement the following activities:

(1) Providing information to law enforcement agencies concerning gang related activities in the community.

(2) Providing information to school administrators and staff concerning gang related activities in the community.

(3) Provide conflict resolution by means of intervention or

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mediation to prevent and limit gang crisis situations.

(4) Increase witness cooperation through coordination with local law enforcement and prosecutors and by education of the community about the roles of these government agencies and the availability of witness protection services.

(b) Community-based organizations supported under the Gang Violence Suppression Program shall implement at least one of the following activities:

(1) Maintaining a 24-hour public telephone message center for the receipt of information and to assist individuals seeking services from the organization.

(2) Maintaining a "rumor control" public telephone service to provide accurate and reliable information to concerned citizens.

(3) Providing technical assistance and training concerning gang related activities to school staff members, law enforcement personnel, and community members including parental groups. Such training and assistance shall include coverage of how to prevent and minimize intergang confrontations.

(4) Providing recreational activities for gang members or potential gang members.

(5) Providing job training and placement services for youth.

(6) Referring gang members, as needed, to appropriate agencies for the treatment of health, psychological, and drug-related problems.

Assembly Bill No. 441

CHAPTER 621

An act to amend Section 13826.6 of, and to add Section 1272.1 to, the Penal Code, relating to crimes, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 28, 1986. Filed with Secretary of State August 29, 1986.]

I am deleting the \$500,000 appropriation contained in Assembly Bill No. 441. This appropriation is no longer needed since a portion of the \$2 million budget augmentation for gang violence suppression has been earmarked for implementation of the specialized gang violence prevention element contained in this measure. With this deletion, I approve Assembly Bill No. 441.

GEORGE DEUKMEJIAN

LEGISLATIVE COUNSEL'S DIGEST

AB 441, M. Waters. Crimes.

(1) Existing statutory provisions provide that after conviction of a felony offense not punishable by death release on bail pending an appeal is a discretionary matter. However, the California Supreme Court has held that in exercising its discretion a trial court must provide an adequate statement of reasons for denying release pending appeal and that the court may consider (a) the likelihood of the defendant's flight, (b) the potential danger to society posed by the defendant's release, and (c) the frivolousness or lack of diligence in defendant's prosecution of his or her appeal.

This bill would require a court to order a defendant's release on bail pending appeal if the defendant demonstrates by clear and convincing evidence all of the following:

(a) By clear and convincing evidence, that the defendant is not likely to flee.

(b) By clear and convincing evidence, that the defendant does not pose a danger to the safety of any other person or the community.

(c) The appeal is not for the purpose of delay and, based upon the record in the case, raises a substantial legal question, as defined, which is likely to result in a reversal.

(2) Existing law requires a community-based organization supported under the Gang Violence Suppression Program to implement specified activities.

This bill would provide that a community-based organization funded under the program for specialized school prevention and intervention activities shall only be required to establish activities in the schools which are designed to discourage students from joining gangs and which offer or encourage students to participate in alternative programs.

(3) This bill would appropriate \$500,000 from the General Fund to the Office of Criminal Justice Planning for allocation and

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disbursement to community-based organizations which establish alternative activities under the bill. This appropriation would be available for encumbrance, as specified, in the 1986-87, 1987-88, and 1988-89 fiscal years.

(4) The bill would take effect immediately, as an urgency statute.
Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 1272.1 is added to the Penal Code, to read:

1272.1. Release on bail pending appeal under subdivision (3) of Section 1272 shall be ordered by the court if the defendant demonstrates all the following:

(a) By clear and convincing evidence, the defendant is not likely to flee. Under this subdivision the court shall consider the following criteria:

(1) The defendant's ties to the community, including his or her employment, the duration of his or her residence, the defendant's family attachments and his or her property holdings.

(2) The defendant's record of appearance at past court hearings or of flight to avoid prosecution.

(3) The severity of the sentence the defendant faces.

(b) By clear and convincing evidence, the defendant does not pose a danger to the safety of any other person or to the community.

(c) The appeal is not for the purpose of delay and, based upon the record in the case, raises a substantial legal question which, if decided in favor of the defendant, is likely to result in reversal.

For purposes of this subdivision, a "substantial legal question" means a close question, one of more substance than would be necessary to a finding that it was not frivolous. In assessing whether a substantial legal question has been raised on appeal by the defendant, the court shall not be required to determine whether it committed error.

In making its decision on whether to grant defendants' motions for bail under subdivision (3) of Section 1272, the court shall include a brief statement of reasons in support of an order granting or denying a motion for bail on appeal. The statement need only include the basis for the order with sufficient specificity to permit meaningful review.

SEC. 2. Section 13826.6 of the Penal Code is amended to read:

13826.6. For purposes of this chapter, a "community-based" organization is defined as a nonprofit operation established to serve gang members, their families, schools, and the community with programs of community supervision and service which maintain community participation in the planning, operation and evaluation of their programs.

(a) Unless funded pursuant to subdivision (c), community-based organizations supported under the Gang Violence Suppression

Program shall implement the following activities:

(1) Providing information to law enforcement agencies concerning gang related activities in the community.

(2) Providing information to school administrators and staff concerning gang related activities in the community.

(3) Provide conflict resolution by means of intervention or mediation to prevent and limit gang crisis situations.

(4) Increase witness cooperation through coordination with local law enforcement and prosecutors and by education of the community about the roles of these government agencies and the availability of witness protection services.

(b) Community-based organizations funded pursuant to subdivision (a) shall also implement at least one of the following activities:

(1) Maintaining a 24-hour public telephone message center for the receipt of information and to assist individuals seeking services from the organization.

(2) Maintaining a "rumor control" public telephone service to provide accurate and reliable information to concerned citizens.

(3) Providing technical assistance and training concerning gang related activities to school staff members, law enforcement personnel, and community members including parental groups. Such training and assistance shall include coverage of how to prevent and minimize intergang confrontations.

(4) Providing recreational activities for gang members or potential gang members.

(5) Providing job training and placement services for youth.

(6) Referring gang members, as needed, to appropriate agencies for the treatment of health, psychological, and drug-related problems.

(c) Community-based organizations funded under the Gang Violence Suppression Program for specialized school prevention and intervention activities shall only be required to implement activities in the schools which are designed to discourage students from joining gangs and which offer or encourage students to participate in alternative programs.

SEC. 3. The sum of five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the Office of Criminal Justice Planning for allocation and disbursement to community-based organizations which elect to establish activities pursuant to subdivision (c) of Section 13826.6 of the Penal Code. Of this appropriation, one hundred thousand dollars (\$100,000) shall be available for encumbrance in the 1986-87 fiscal year, two hundred thousand dollars (\$200,000) shall be available for encumbrance in the 1987-88 fiscal year, and two hundred thousand dollars (\$200,000) shall be available for encumbrance in the 1988-89 fiscal year.

Notwithstanding any other provision of law, the Office of Criminal Justice Planning shall not utilize, for administrative expenses, more

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— 4 —

than 10 percent of the funds appropriated by this section, and the office shall not be required to provide matching federal funds for any expenditure of funds appropriated by this section.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to expeditiously deal with the urgent problems associated with crimes, as addressed in this act, it is essential that this act take effect immediately.

Assembly Bill No. 1990

CHAPTER 929

An act to amend Section 13826.1 of, to repeal and add Section 13826 of, and to add Section 13826.65 to, the Penal Code, relating to gang violence suppression.

[Approved by Governor September 20, 1986. Filed with Secretary of State September 22, 1986.]

LEGISLATIVE COUNSEL'S DIGEST :

AB 1990, Hughes. Gang violence suppression.

Existing law establishes in the Office of Criminal Justice Planning, the Gang Violence Suppression Program, to provide a program of financial and technical assistance for district attorneys' offices, local law enforcement agencies, county probation departments, and community-based organizations which are primarily engaged in the suppression of gang violence.

This bill would authorize school districts, county offices of education, or any consortium thereof, to apply for and receive this funding and technical assistance, and would require the Gang Violence Suppression Advisory Committee established under existing law to include the Superintendent of Public Instruction, or his or her designee, a member of the California School Boards Association, and one representative of a school program specializing in the education of the target population which is the subject of the gang violence suppression law. This bill would require all funded programs to work cooperatively to ensure the highest quality provision of services and to reduce unnecessary duplication of effort. This bill would require school districts, county offices of education, or any consortium thereof, receiving funds for these purposes to develop or adopt and implement a gang violence prevention curriculum, provide gang violence prevention and intervention services for school-aged children, and would encourage them to provide certain additional programs and services.

This bill would make other technical, nonsubstantive changes.

The people of the State of California do enact as follows:

SECTION 1. Section 13826 of the Penal Code is repealed.

SEC. 2. Section 13826 is added to the Penal Code, to read:

13826. The Legislature finds and declares all of the following:

(a) That violent activity by gangs is a serious and growing problem in the State of California.

(b) There is an increasing percentage of school age pupils involved in gang activity.

(c) There are many schools that serve a disproportionate number

of youth involved in gang activity which are unable to effectively implement programs designed to prevent youth from becoming involved in gang activity. There is no statewide funded educational program developed for this purpose.

(d) There is evidence that gang involvement among youth begins at an early age.

(e) There is evidence that the parents of gang members lack appropriate parenting skills.

(f) There is evidence that drug activity is increasing among youth involved in gang activity.

(g) There is evidence that gang members have no contact with positive role models.

(h) There is evidence that most gang members lack basic educational skills.

In enacting this chapter, the Legislature intends to support increased efforts by district attorneys' offices to prosecute the perpetrators of gang violence, support increased efforts by local law enforcement agencies to identify, investigate, and apprehend perpetrators of gang violence, support increased efforts by county probation departments to intensively supervise gang members who are on court-ordered probation, support gang violence prevention and intervention efforts by school districts and county offices of education, and support gang violence suppression efforts by community-based organizations.

SEC. 3. Section 13826.1 of the Penal Code is amended to read:

13826.1. (a) There is hereby established in the Office of Criminal Justice Planning, the Gang Violence Suppression Program, a program of financial and technical assistance for district attorneys' offices, local law enforcement agencies, county probation departments, school districts, county offices of education, or any consortium thereof, and community-based organizations which are primarily engaged in the suppression of gang violence. All funds appropriated to the Office of Criminal Justice Planning for the purposes of this chapter shall be administered and disbursed by the executive director of the office in consultation with the California Council on Criminal Justice, and shall to the greatest extent feasible be coordinated or consolidated with federal funds that may be made available for these purposes.

(b) The executive director is authorized to allocate and award funds to cities, counties, school districts, county offices of education, or any consortium thereof, and community-based organizations in which gang violence suppression programs are established in substantial compliance with the policies and criteria set forth in this chapter.

(c) The allocation and award of funds shall be made on the application of the district attorney, chief law enforcement officer or chief probation officer of the applicant unit of government and approved by the legislative body, on the application of school

districts, county offices of education, or any consortium thereof, or on the application of the chief executive of a community-based organization. All programs funded pursuant to this chapter shall work cooperatively to ensure the highest quality provision of services and to reduce unnecessary duplication. Funds disbursed under this chapter shall not supplant local funds that would, in the absence of the Gang Violence Suppression Program, be made available to support the activities set forth in this chapter. Funds awarded under this program as local assistance grants shall not be subject to review as specified in Section 14780 of the Government Code.

(d) The executive director shall prepare and issue written program and administrative guidelines and procedures for the Gang Violence Suppression Program, consistent with this chapter. These guidelines shall set forth the terms and conditions upon which the Office of Criminal Justice Planning is prepared to offer grants of funds pursuant to statutory authority. The guidelines do not constitute rules, regulations, orders, or standards of general application.

(e) Annually, commencing November 1, 1984, the executive director shall prepare a report to the Legislature describing in detail the operation of the statewide program and the results obtained by district attorneys' offices, local law enforcement agencies, county probation departments, school districts, county offices of education, or any consortium thereof, and community-based organizations receiving funds under this chapter and under comparable federally financed awards.

(f) Criteria for selection of district attorneys' offices, local law enforcement agencies, county probation departments, school districts, county offices of education, or any consortium thereof, and community-based organizations to receive gang violence suppression funding shall be developed in consultation with the Gang Violence Suppression Advisory Committee whose members shall be appointed by the Executive Director of the Office of Criminal Justice Planning, unless otherwise designated.

(g) The Gang Violence Suppression Advisory Committee shall be composed of five district attorneys; two chief probation officers; two representatives of community-based organizations; three attorneys primarily engaged in the practice of juvenile criminal defense; three law enforcement officials with expertise in gang-related investigations; one member from the California Youth Authority Gang Task Force nominated by the Director of the California Youth Authority; one member of the Department of Corrections Law Enforcement Liaison Unit nominated by the Director of the Department of Corrections; one member from the Department of Justice nominated by the Attorney General; the Superintendent of Public Instruction, or his or her designee; one member of the California School Boards Association; and one representative of a school program specializing in the education of the target population

identified in this chapter.

SEC. 4. Section 13826.65 is added to the Penal Code, to read:

13826.65. School districts, county offices of education, or any consortium thereof, receiving funding under this chapter shall develop or adopt and implement a gang violence prevention curriculum, provide gang violence prevention and intervention services for school-aged children, and shall be encouraged to do all of the following:

(a) Establish a local steering committee comprised of representatives of each local program funded under this chapter, corporations, small businesses, and other appropriate local, county, and community organization knowledgeable in the area of youth gang violence.

(b) Develop and distribute information concerning parent education and parenting classes, including methods whereby parents may recognize youth gang involvement.

(c) Identify and utilize the resources of appropriate community-based organizations involved in the coordination of after school activities for school-aged youth.

(d) Establish contact between positive role models and youth involved in gang activity through adopt-a-youth programs and similar programs.

(e) Incorporate into gang prevention activities references to the relationship between drug abuse and gang violence.

(f) Develop partnerships between schools and businesses for the purpose of enhancing pupil achievement through such methods as tutorial services, field trips, role modeling, and other supportive services.

(g) Develop methods of assuring followup services for children receiving the initial gang violence prevention and intervention services.

APPENDIX C

GANG VIOLENCE SUPPRESSION PROGRAM
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APPENDIX D

GANG VIOLENCE SUPPRESSION PROGRAM

FISCAL YEAR 1986/87 FUNDING BY PROJECT

APPLICANT	TITLE	AMOUNT

PROSECUTION PROJECTS		
Los Angeles County District Attorney's Office	Gang Violence Suppression Project	\$ 228,870
Orange County District Attorney's Office	Gang Violence Suppression Project	53,680
Sacramento County District Attorney's Office	Gang Violence Suppression Project	38,499
San Bernardino County District Attorney's Office	Gang Violence Suppression Project	76,944
San Diego County District Attorney's Office	Gang Violence Suppression Project	76,226
San Francisco County District Attorney's Office	Gang Violence Suppression Project	52,003
San Joaquin County District Attorney's Office	Gang Violence Suppression Project	33,926
Santa Barbara County District Attorney's Office	Gang Violence Suppression Project	33,720
Santa Clara County District Attorney's Office	Gang Violence Suppression Project	101,635
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PROSECUTION TOTAL		\$ 695,504

PREVENTION PROJECTS - COMMUNITY BASED ORGANIZATIONS

SEY YES, Inc.	An Alternative Approach to the Reduction of Gang Violence	\$ 93,375
Chino Youth Services	Chino Youth Services Gang Diversion Project	36,010
Cleland House of Neighborly Services, Inc.	Gang Violence Suppression Project	57,605
Community Youth Gang Services	Crisis Response Team	50,000

APPLICANT	TITLE	AMOUNT
Community Youth Sports and Arts Foundation	Gang Suppression Networking Project	50,000
Council for the Spanish Speaking	Gang Suppression Program	78,012
Soledad Enrichment Action	Soledad Enrichment Action Concerned Parent Program	76,100
San Diego Youth and Community	Neighborhood Outreach Program	87,000
Turning Point, Family Services	Positive Alternatives to Gangs	88,000
Vietnamese Community Center of Orange County, Inc.	Youth Counseling and Crime Prevention Program	133,000
	COMMUNITY BASED ORGANIZATIONS TOTAL	\$ 751,174

PREVENTION PROJECTS - SCHOOL INTERVENTION

Council for the Spanish Speaking	Gang Prevention in the schools	\$ 25,000
Helpline Youth Counseling	Hawaiian Gardens Project	25,000
Sey Yes, Inc.	Student Crime Resistance and Personal Safety	25,000
Turning Point	Positive Alternatives to Gangs	25,000
	PREVENTION - SCHOOL INTERVENTION PROJECTS TOTAL	\$ 100,000

LAW ENFORCEMENT

Baldwin Park Police Department	Gang Activity Prevention	\$ 58,755
Los Angeles County Sheriff's Department and Los Angeles Police Department	Gang Reporting, Evaluation and Tracking System (GREAT)	234,432
Monterey Park Police Department	Gang Enforcement Team	100,000
Sacramento Police Department	Gang Suppression Unit	115,000

APPLICANT	TITLE	AMOUNT
San Francisco City and County Police Department	Identification, Apprehension and Prevention Project	140,000
Compton Police Department	Street Crime Suppression Unit	110,000
Long Beach Police Department	Street Gang Criminal Offenders	199,237
Los Angeles County Sheriff's Department	Gang Awareness Resource Program	62,000
Modesto Police Department	Gang Violence Suppression Program	99,000
Ontario Police Department	Gang Violence Suppression	101,326
Pomona Police Department	Suppress Gang Violence in Pomona	170,000
LAW ENFORCEMENT TOTAL		\$ 1,489,750

PROBATION PROJECTS

Los Angeles County Probation Department	Gang Reporting, Evaluation and Tracking System (GREAT)	\$ 199,940
Los Angeles County Probation Department	Gang Reporting, Evaluation and Tracking System (GREAT)	188,136
Orange County Probation Department	Vertical Case Supervision Program	198,810
Sacramento County Probation Department	Gang Violence Suppression	100,000
San Francisco City and County Adult Probation Department	Gang Caseloads Component- Intensive Supervision Unit	55,333
Santa Clara County Probation Department	Probation Gang Violence Suppression	33,000
PROBATION TOTAL		\$ 773,219

EDUCATION PROJECTS

Anaheim Union High School District	Gang Violence Suppression/Education	91,000
Inglewood Unified School District	Prevention, Intervention Program Alternative	191,000
Compton Unified School District	Operation New Start	126,000
Long Beach Unified School District	Gang Violence Suppression Program	176,000
Los Angeles Unified School District	Gang Violence Suppression Program	134,491
Orange County Superintendent of Schools Office	Gang Violence Prevention Network	201,000
Pomona Unified School District	Gangs Can Be Hazardous to Your Health	101,000
Santa Barbara County Office of the Superintendent of Education	K.O./O.K. - The Comprehensive Approach	126,000

Education Total \$1,138,491

APPENDIX E

GANG VIOLENCE SUPPRESSION PROGRAM

FISCAL YEAR 1986/87 FUNDING BY COUNTY

NUMBER OF PROJECTS

COUNTY	Prosecution	Law Enforcement	Probation	Prevention	Education	TOTAL FUNDS
Los Angeles	1	7	2	7	5	\$2,656,941
Orange	1	0	1	3	2	790,490
Sacramento	1	1	1	0	0	253,499
San Bernardino	1	1	0	1	0	214,280
San Diego	1	0	0	1	0	163,226
San Francisco	1	1	1	0	0	247,336
San Joaquin	1	0	0	2	0	136,938
Santa Barbara	1	0	0	0	1	159,720
Santa Clara	1	0	1	0	0	134,635
Stanislaus	0	1	0	0	0	99,000
Total Projects by Component	9	11	6	14	8	
					TOTAL	\$ 4,856,065