

GANG VIOLENCE IN THE SANTA MARIA VALLEY

Dispelling Myths, Facing Realities

The following constitutes an Activity Report prepared in accordance with the California Penal Code, §925 and §928. It is for the public's information and does not require a response.

SUMMARY

The 2009-10 Santa Barbara County Civil Grand Jury (Jury) received a complaint requesting the Jury determine the truth about gangs and the depth of the problems they pose for Santa Maria Valley residents. The complainant was also concerned that some city officials were indifferent to the danger gangs pose to the community. Through its investigation, the Jury became aware that the concerns expressed in this complaint represent perceptions held by a range of Santa Maria Valley residents.

The Jury interviewed law enforcement officials to gauge the breadth and depth of the gang problem. The Jury also attended community meetings on the topic of gangs, and met with various civic and non-profit agency leaders to determine their awareness of the gang problem and how they were responding to it.

The Jury found that much had changed in a short period of time and that police and civic leaders have an expanded awareness of the gang problem and have begun a coordinated effort to combat the problem effectively. This report is intended to identify efforts made to date and encourage residents, civic and non-profit leaders, and law enforcement, to continue to work together to find solutions in a coordinated way and over the long term.

THE LAW ENFORCEMENT VIEW

The Santa Barbara County Civil Grand Jury (Jury) interviewed representatives from both the Santa Barbara County Sheriff's Department (Sheriff) and the Santa Maria City Police Department (SMPD).

How many gangs, how many members, who are they?

There are six identified gangs operating in the Santa Maria Valley based on data from the Sheriff and the SMPD. Gang membership totals approximately 900, but that number includes only those who have been "certified." Both the Sheriff and SMPD rely on the *California Penal Code* definition of a gang (*Section 186.22(f)*).

Membership “certification” is established objectively by either individuals self-identifying to law enforcement, or by matching two criteria from a law enforcement generated list of about a dozen identifiers (e.g., gang tattoos, use of gang moniker, gang related arrest). These criteria are important not only for identification and tracking purposes, but gang membership may also be used in prosecuting certain crimes where such affiliation may enhance sentences. Police do not arbitrarily label someone a gang member based solely on appearances, clothing, or ethnicity.

Law enforcement knows there are more individuals, who for various reasons, have not yet been officially identified as belonging to a gang. Moreover, there are some who are not members but “affiliates.” Beyond the 900 certified gang members is a pool of potential gang members involved in crime in the Santa Maria Valley.

Contrary to some opinion, a vast majority of gang members are *not* undocumented aliens. Most are U.S. citizens and some are third generation gang members. SMPD has estimated that less than 10 percent of known gang members are in the country illegally. Not all members are necessarily from low-income backgrounds nor are they all “hardcore” criminals. Gang members range in age between 10 and 50. Most are in their teens or early 20s. An alarming trend is the recruitment of children in junior high school.

How many crimes, what type of crimes, who are the victims?

As is the case in most communities, the City of Santa Maria has its share of crime. There is a perception that Santa Maria’s crime rate is dominated by gangs, and that most of the violent crime can be attributed to gangs. Estimates and data provided by SMPD paint a somewhat different picture.

The SMPD can only estimate what percentage of *total* crime in the city is committed by gangs, as they do not keep statistics on all crimes committed by gang members. They do not track gang involvement in vandalism, vehicle thefts, burglaries, domestic offenses, and narcotics related offenses, among others. Selling illegal drugs (marijuana, cocaine, heroin, “meth,” and “crack”) is reportedly a gang member’s primary source of income.

The Jury was informed that state and federal standardized reporting requirements do not call for tracking all gang-related crime. However, having gang data in all crime categories would provide police with evidence in support of their claim that gangs commit only about five percent of all crime in Santa Maria. It could also provide residents with a perspective on the impact of gang crime on overall public safety.

While the SMPD does not keep records of all crime committed by gang members, it does track the more serious crimes of homicide and non-negligent manslaughter, robbery, and aggravated assault. Below are data provided by SMPD for the last two years comparing gang offenses to the total committed in those three categories for which data are available.

Offense	Crimes in 2008 and 2009		
	Total crimes	Gang Crimes	% of total
Homicide & non-negligent manslaughter	14	5	35.7%
Robbery	175	109	62.3%
Aggravated assault	892	65	7.5%
Totals	1081	179	16.6%

While the total of crimes in these categories committed by gang members is 16.6 percent, gang members committed most of the robberies (62.3 percent) and over a third of the homicides/manslaughter (35.7 percent).

Much gang-related violent crime is directed at rival gangs. Unfortunately, the number of robberies reported above may not include robberies perpetrated against migrant workers carrying cash. Because many of these victims are undocumented, they rarely report the crimes for fear of deportation.

Although SMPD estimates that gang-related crime is a small percentage of the total in the City of Santa Maria, it is clear from the data above that gangs commit a disproportionate number of robberies and killings in the city. This is what draws media attention, inflames public reaction, and contributes to skewing the perception of the “gang problem” in Santa Maria.

How is law enforcement responding? Does the response include gang injunctions?

Given the high percentage of gang-related violent crime, some members of the public began clamoring for immediate action. Seeing a gang injunction used elsewhere, the public immediately viewed it as the panacea. However, the SMPD chief publicly opposed gang injunctions arguing that Santa Maria’s gang members are no longer concentrated in particular areas, as they are in other communities that utilize gang injunctions. It is this area-specific gang congregation and control that is among the requirements for an injunction to be granted.

Of the 111 officers in the force, SMPD recently increased from four to eight the number of officers committed to the gang suppression unit and another three officers are assigned to narcotics work. Because their work overlaps, these units exchange information regularly. In addition, there is a community services unit headed by a sergeant with oversight of two of the beat coordinators as well as four school resource officers doing intervention and outreach at the schools.

The SMPD reported that gang sweeps had been conducted where large numbers of gang leaders were apprehended and eventually sentenced to prison. One such sweep by the FBI and other law enforcement agencies, including probation and parole, led to the arrest of 18 leaders of the Northwest gang. On May 6, 2010, in a sweep that had been planned for many months, the SMPD, aided by the US Drug Enforcement Agency and the Santa Barbara County Sheriff's Department, arrested 35 members of the West Park gang and affiliates on various drug and weapons charges.

The SMPD believes community involvement is essential to the efforts to curtail gang violence and encourages the community to report everything from graffiti to assaults and homicides. As in other parts of the county, law enforcement officers report that one of the primary obstacles to solving gang-related crimes is silence. SMPD sponsored a public forum on January 21, 2010 to discuss gang violence in the community. Approximately 200 people attended including elected city officials and representatives from local non-profit organizations. The SMPD continues to be involved in community gatherings to address gang crime. The Jury supports the SMPD's continuing participation and leadership in this important and urgent endeavor.

THE COMMUNITY RESPONDS

In addition to law enforcement, civic and non-profit agencies are engaged in a community-wide effort to combat gang violence. Many of the programs are not designed specifically to address gang crime but deal with preventing and combating behavior, which could propel youth toward gang membership. One such agency, Fighting Back Santa Maria Valley (Fighting Back), is perhaps the most successful non-profit in the Santa Maria Valley. It currently operates on a \$1.4 million a year federal "Safe Schools" grant (for five years), in addition to a \$100,000 Drug Free Communities grant and a \$200,000 federal Workforce Investment Act grant.

Fighting Back was initiated in 2003 by a Community Anti-Drug Coalitions of America (CADCA) grant. The grant was targeted to combat substance abuse with the intent to build a coalition of non-profit organizations, businesses, schools and other community groups. This effort evolved into several related areas such as domestic violence, teen pregnancy and gang problems.

All of the school superintendents of the larger school districts in the Santa Maria Valley are members of the Fighting Back board of directors. Fighting Back works collaboratively with the Santa Maria Valley Youth and Family Center, a children's behavior and substance abuse treatment facility; and Good Samaritan, an agency for the homeless whose programs include detoxification, housing, and prenatal care for substance abusers.

Fighting Back also works with county agencies including the departments of social services; alcohol, drug and mental health; and probation; it set up the Parent Project with the SMPD and works collaboratively with the Community Action Commission, the Boys and Girls Club, the YMCA, public schools and other agencies. Fighting Back included an "Adopt-a-Block" program as part of an application submitted for a federal "Weed and Seed" grant, one of whose goals is to reduce gang violence in a specific area.

In February 2010, the 5th District Santa Barbara County Supervisor organized a two and a half day gathering as part of the Santa Maria Valley Collaborative Leadership Project. The supervisor reportedly was inspired to action by a November 2009 incident where alleged gang members fired on SMPD officers while being pursued by a patrol car. This project was organized into the following seven committees:

- Education/Awareness & Leader Development Strategies
- Community Culture & Media Strategies
- Youth, Families Neighborhood Resources Strategies
- Government & Legislative Strategies
- Abel Maldonado Center (youth recreation center)
- Restorative Justice & Inclusion Strategies
- Economic Opportunities & Business Partnership Strategies

These committees met in April 2010, at a gathering chaired by a City of Santa Maria council member. Each of the committees reported on their accomplishments to date. Participants included representatives from the Santa Maria City Council, Santa Barbara county probation and sheriff's departments, the county public defender and education offices, United Way, Restorative Justice Task Force, the 33rd Assembly District member's office, and other interested community members.

Discussions focused on collaboration rather than competition among agencies. A decision was made to have an executive committee facilitate the collaborative process. One of the participants announced a meeting to discuss jobs for youth - an issue recognized as critical to any effort to confront the gang problem. Other initiatives encouraging community participation were announced.

The 2007-08 Grand Jury report on Santa Barbara city gangs identified increasing youth employment opportunities as critical in combating the influence of gangs on youth. Santa Maria leaders have come to the same conclusion. Fighting Back reportedly will reinstate the work education program, which proved effective in high schools years ago, as part of their "Safe Schools" grant providing summer and regular school job training and placement.

Conclusion

Although the extent of the problem remains difficult to quantify because of the incomplete data on total gang crime, gang violence is recognized as a serious issue in the Santa Maria Valley. Police, civic and education leaders, and community groups are making efforts to face the challenges together. The Jury believes gang violence can be mitigated with a blended approach of law enforcement, civic engagement, school involvement active community support for non-profit programs, and financial support from grants and other public and private sources.

With continuing budget pressures on both schools and law enforcement, the role of community-based organizations is likely to become more important in the fight against gang violence. Since

the bulk of these community efforts are grant funded, continuity of these programs remains a serious issue.

Given the need to find funding to keep programs going, the Jury believes community support for a strong and dedicated leadership and a unified and persistent effort is greater than ever. The challenge for Santa Maria is to build and sustain a base organizational structure with continuity and persistent dedication to addressing gang issues above the particular interests of any of the participating agencies.