



# ***CITY COUNCIL AGENDA REPORT***

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**MEETING DATE:** April 17, 2007

**ITEM NUMBER:**

**SUBJECT:** Gang Initiative: Enforcement, Suppression, Intervention and Prevention Strategies

**DATE:** April 12, 2007

**FROM:** Christopher Shawkey, Chief of Police  
Captain Ron Smith  
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## **RECOMMENDATION**

1. Endorsement of the Police Department's Gang Initiative by the City Council.
2. Award RFP No. 1105 to the Newport Mesa Unified School District, 2985-A Bear Street, Costa Mesa, California, 92626, for gang intervention services in the amount of \$65,000 for the first year with the option of renewing the contract for two additional one-year periods.
3. Authorize the Mayor and City Clerk to execute the Professional Services Agreement.
4. Recommend placement of the proposed Truancy Ordinance on a future City Council Study Session

## **BACKGROUND**

At the January 2, 2007 Council meeting, the recommendation to award the contract to the Newport Mesa Unified School District to provide the gang intervention services was reviewed by the Council, which voted to receive and file this recommendation. See Attachment I, II, and III. Subsequently, the Council requested the Police Department bring forward to the Council at the March 13, 2007 Study Session further

details of the gang intervention contract as well as a more comprehensive discussion of the current gang status, current and proposed gang enforcement efforts, and additional information on gang intervention and prevention strategies. At the Study Session on March 13, 2007 Police staff presented this requested information, collectively called the Department's Gang Initiative. After this Study session, additional information was requested by the Council which has been provided by the Police Department. See Attachment IV.

## **ANALYSIS**

The following was the analysis submitted in the March 13, 2007 Study Session Report:

In order to continue our efforts to reduce criminal street gangs (defined later), gang members, and gang related crime within the City of Costa Mesa, the Police Department recommends a multi-faceted approach to the issue that includes a zero tolerance philosophy for enforcement as well a comprehensive intervention and prevention program.

The enforcement component of the program includes continuing and/or expanding several programs currently utilized by the Police Department to combat criminal gang activity.

Those existing programs include:

- Gang Detail
- Gang Hotline
- Gang Crime Evictions
- School Resource Officer\*
- Partnership with Orange County Probation Department

\*While the role of the SRO is primarily enforcement, they can also play an important role in the intervention and prevention of gang membership if the proper officers are selected for the positions.

In addition, the Police Department recommends the following strategies be further developed or expanded as enforcement strategies. Those programs include:

- TARGET
- Truancy Enforcement
- Surveillance Cameras

The Police Department recommends the following Intervention and Prevention strategies be implemented or continued:

- Project ASK with the NMUSD
- Expand public education efforts through Neighborhood Watch, Citizens Police Academy, Town Hall meetings, etc.
- Establish public awareness campaign on anti-gang efforts

Extensive details for each part of this plan are contained later in this report. There is substantial evidence and best practice documentation that in order to effectively reduce gang related criminal activity and the number of gangs and gang members, municipalities must employ a broad based approach that includes enforcement, intervention and prevention. The Costa Mesa Gang Initiative, as presented in this report, fulfills those requirements and is the best opportunity we have to eradicate criminal street gangs and their illegal activity in the City of Costa Mesa.

## **I. CURRENT GANG STATUS**

The following is a brief summary of the current status of gangs and gang activity in Costa Mesa:

Of primary importance, this summary demonstrates that the overall illegal activity associated with gangs has become a significant concern for the Police Department and the community as evidenced by the following indicators.

Presently, seven local criminal street gangs<sup>1</sup> are identified as being active and based in Costa Mesa. This is an increase from the four identified local gangs in the City ten years ago. The total local gang membership in Costa Mesa is approximately 300 adult and juvenile gang members, of which roughly 60% are juveniles and 40% are adults. Approximately half of these 300 are considered active gang members while the other half is considered to be inactive, but still affiliated with a gang. This total is approximately three times the membership from ten years ago.

Another indicator of gang crime is the number of arrests associated with gang members. During the calendar year 2006 Costa Mesa Police officers arrested a total of 225 suspects for gang related crimes. Of that total, 120 were for felony offenses. Approximately 90% of those arrested were residents of Costa Mesa.

The volume of gang related crime has also increased. In calendar year 2006 there was an increase of twenty-three gang related Part I crimes<sup>2</sup> committed in Costa Mesa as compared to calendar year 2005, as illustrated in the following chart:

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<sup>1</sup> A criminal street gang is defined per the California Penal Code 186.22 as “any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of criminal acts...” as enumerated in this Section.

<sup>2</sup> The FBI Uniform Crime Report defines Part I crime to include murder, robbery, rape, aggravated assault, burglary, larceny/theft, motor vehicle theft, arson

Incident Type	Number of Incidents	
	<u>2006</u>	<u>2005</u>
<u>PART I Crimes</u>		
Murder	1	0
Robbery	10	1
Assault w/ deadly weapon	16	4
Burglary	<u>2</u>	<u>1</u>
<b>TOTAL</b>	<b>29</b>	<b>6</b>

A further indicator of gang activity is represented by incidents of graffiti as reflected by the Graffiti Abatement program. In 2006 approximately 2034 incidents (compared to 1,229 incidents in 2005) of graffiti were reported by the Graffiti Abatement program. Of this amount, Costa Mesa Gang officers estimated that approximately 40% is gang related, whereas the remaining 60% represents non-gang related tagging. The removal of this graffiti cost a total of \$254,690, up from \$97,528 in 2005.

Violent gang crime involving firearms has also risen during the last year. The following is a synopsis of several notable gang related crimes that occurred in 2006, illustrating the level of serious violent gang activity perpetrated by the seven local gangs:

- In January 2006, four gang members committed an attempted armed robbery. A handgun and bat were seized at time of arrest. A second handgun was recovered during search warrant.
- On April 24, there was a gang homicide in the area of Paularino and Fillmore. The victim was a known gang member and the suspects were identified as members of a rival gang. Five arrests were made in connection with the investigation
- On April 5, a gang member was shot multiple times in the El Camino alley.
- On May 13, a gang member's younger brother was shot in the leg while walking on Placentia Avenue north of Victoria Street. A rival gang member was arrested in connection to this case.
- On June 25, a male was shot in the arm and leg on E. Bay Street. The shooting is believed to be gang related.
- On July 14, a pregnant female was shot in the leg while at her apartment in the 2200 block of Pamela Street. Four gang members were arrested in reference to this incident.
- On August 2, a known gang member shot five victims, killing one of them in the 1300 block of W. Baker. The suspect was subsequently arrested.
- On August 17, two males were shot in the alley behind the 2900 block of Mendoza Drive. One victim was hit in the leg and finger while the other

- sustained a superficial arm wound. Both victims have gang ties. The suspects are rival gang members. Three arrests were made in this case.
- On November 1, a gang associate was shot in the arm and torso with a shotgun on Shalimar. Five suspects of a rival gang have been arrested in this case.

In addition to the seven local gangs noted above, other types of gangs impact the City as well. For example, white supremacist gang members are known to live and work in Costa Mesa, but are not considered to be based in the City, in contrast to the above-mentioned seven gangs. The distinction between these gangs and the above seven is that these gangs do not “claim turf” or territory within the City. For example, while some white supremacist gang members may live and work in Costa Mesa, their base is considered to be through the California prison system and beyond. These gang members claim no identification with Costa Mesa or neighborhoods within Costa Mesa. As such, while in Costa Mesa they normally do not engage in such activity as graffiti, congregating in public in gang attire, intimidating particular neighborhoods in the name of their gang, etc. Their focus is on criminal enterprise for financial gain such as prostitution, identity theft and major drug trafficking, crimes that they commit throughout the Southern California area.

## **II. GANG INITIATIVE DETAILS**

Due to the persistent problem of illegal gang activity as noted above, in January of 2006 the Police Department expanded its existing strategies, tactics, and programs to reduce gang membership and illegal gang activity. At the same time, it began to explore the use of new programs or tactics as well. The various components of these strategies, tactics, and programs are collectively known as the Gang Initiative. The overarching strategy of the Gang Initiative is a two-prong attack. The first prong of the attack emphasizes enforcement and suppression of the commission of illegal criminal activity. The second prong emphasizes both the intervention of existing gang members to disassociate from the gang and the prevention of the recruitment of new gang members.

Components of the two prongs are summarized below:

### **Enforcement and Suppression**

Enforcement and suppression have been the main focus of the Costa Mesa Police Department in fighting gang crime. This first prong emphasizes aggressive enforcement of all applicable laws in the detection and apprehension of gang offenders. It includes the various strategies of high uniformed visibility for deterrence, surveillance for detection, and intensive investigative follow-up for apprehension of gang members committing crimes.

Some components of the enforcement and suppression aspect of the Gang Initiative have already been implemented including changes regarding the CMPD Gang Detail,

the School Resource Officers (SRO), and the Orange County Probation officer. Other components are currently under development including the Orange County District Attorney's TARGET program, the truancy enforcement program, civil gang injunctions, and surveillance cameras. The status of each is briefly summarized as follows:

#### Gang Detail:

While all Costa Mesa Police officers have the duty to be alert to gang crimes and take appropriate enforcement action, the sole purpose of the Gang Detail is to focus exclusively on gang related problems. The Gang Officers received specialized training in gang recognition and enforcement, wear specialized uniforms identifying themselves as Gang Officers, and assertively work towards the detection, arrest, and prosecution of any and all applicable violations of gang related laws, regardless of the degree of severity of the offense. The Gang Detail pays special attention to incidents of graffiti by aggressively investigating and arresting those responsible for committing this crime.

A component of the Gang Initiative has been to increase the strength of the Gang Detail. Prior to 2006, the Gang Detail consisted of four full-time officers and one sergeant who split his time supervising another unrelated detail. In an effort to enhance the enforcement and suppression component of the Gang Initiative, the Police Department requested two additional full-time officers dedicated to the Gang Detail. The City Council approved this request in the Fiscal Year 2006 – 2007 budget with the two positions funded beginning January 1, 2007. These two positions were filled March 1, 2007 to bring Gang Detail staffing to six full-time Gang Detail officers. In addition, the sergeant was reassigned to provide full-time supervision exclusively for the Gang Detail. This increased staffing level now provides for the presence of the Gang Detail for the purposes of gang enforcement seven days a week.

In addition to combating the seven local street gangs, the Gang Detail rigorously participates in enforcement against other criminal gang elements, such as the white supremacist gangs. The primary enforcement against these types of gangs is coordinated efforts throughout Southern California by local, county, state, and federal law enforcement agencies. An example of these aggressive regional task force efforts is the recent sweep and arrest of 58 white supremacist gang members in December 2006 for charges of weapons violations, narcotic trafficking, and identity theft. Over 300 law enforcement officers from 25 different law enforcement agencies, including the Costa Mesa Police Department Gang Detail, Special Enforcement Detail, Detective Bureau, and SWAT Team, joined forces in this sweep.

Another component of enforcement is restitution. Should a juvenile be arrested for some crime involving monetary losses or damages, such as graffiti, vandalism, theft, or assault with medical costs incurred, an option for the arresting officer or assigned detective is recommending that the juvenile participate in a structured program of restitution, in lieu of prosecution. Restitution is generally handled through the Community Services Program (CSP, Inc), a non-profit agency providing juvenile diversion services on a contracted basis for the Costa Mesa Police Department. As

part of the CSP services, a restitution specialist handles referrals at the Costa Mesa Police Department station. The juvenile diversion and restitution program does not apply to adult offenders. In the case of an adult offender, restitution is at the discretion of the courts as a condition of sentencing upon a conviction.

As another measure to fight gang related crime, the Gang Detail recently established a Gang Hotline (714-754-5053) for the reporting of non-emergency gang related information. This number is posted on the City's website. It is also intended to publicize this Gang Hotline number on local access television. The public is encouraged to use the 911 telephone system for reporting in-progress and emergency information.

#### School Resource Officers (SRO):

Another component of the Gang Initiative is the greater utilization of the SRO's in the enforcement and suppression of gang activity. Prior to January 2006 the two existing SRO's were assigned to the Support Services Division under the supervision of the Detective Bureau/Juvenile Detail. The focus of the SRO's at that time was general campus security. Beginning January 2006, the SRO program was reassigned to the Field Operations Division, reporting directly to the Gang Detail. This transfer of reporting was specifically designed to reflect the new emphasis on the SRO's to be actively involved with the detection and suppression of gang related activity on the campuses and the gathering and sharing of gang intelligence directly with the Gang Detail. In addition, during the school vacation periods, primarily through the summer months, the SRO's are now assigned to work as Gang Officers to further increase the gang enforcement level. To this end, the SRO's now receive formal gang enforcement training similar to the full-time Gang Officers.

To further support this effort of gang enforcement and intelligence gathering on the campuses, the Police Department is submitting a request for two additional SRO's in the Fiscal Year 2007-2008 budget. The two additional SRO's would provide for one SRO to be on each of the campuses of Costa Mesa High, Estancia High, and Tewinkle Intermediate on a full-time basis and for the fourth SRO to maintain a presence at the elementary schools.

#### Orange County Probation Officer:

The addition of a Probation Officer to the Gang Detail is another component of the Gang Initiative already underway. In general the Probation Department attempts to assist all law enforcement agencies requesting support; however, there are a limited number of Probation Officers who carry heavy caseloads. Therefore, only limited Probation Department resources were being applied to the gang issues in Costa Mesa. As part of the Gang Initiative, the Police Department requested entering into a contract directly with the Orange County Probation Department to have one Probation Officer assigned full-time to work exclusively with the CMPD Gang Detail. The City Council approved this request and funded \$110,000 for Fiscal Year 2006-2007. The Orange

County Board of Supervisors and the City Council finalized the contract in December 2006, and one full-time Probation Officer commenced working exclusively with the CMPD Gang Detail in January 2007. Even in this short period of time, the addition of a Probation Officer has begun to show positive results.

Having a Probation Officer working full-time, side by side with the Gang Detail has distinct advantages. First, a Probation Officer has greater powers of search and seizure than CMPD officers when confronting gang members who are on probation. Probation Officers can directly enforce violations of probation conditions imposed on convicted gang members by the courts, whereas CMPD officers alone generally could not take such immediate enforcement action without first coordinating with the Probation Officer. Second, a Probation Officer has the direct link to the Probation Department database and case files that record the different terms and conditions restricting the actions and behaviors of gang members, whereas CMPD officers do not. Third, a Probation Officer working full-time with the Gang Detail further increases the staffing levels completely dedicated to gang enforcement and suppression

The contract with the Orange County Probation Department expires June 2007. Therefore, the Police Department will be making a similar request for funding a Probation Officer for the Fiscal Year 2007-2008 to continue this program.

#### TARGET:

As part of the Gang Initiative, the Police Department is attempting to implement the TARGET program in Costa Mesa. The Tri-Agency Resources Gang Enforcement Team (TARGET) program is administered by the Orange County District Attorney's Office and combines its resources with the participating police departments and the Orange County Probation Department. The District Attorney's Office provides one investigator trained in gang enforcement and one attorney specializing in gang prosecutions. TARGET focuses on the most hardcore, violent, repeat street offenders, especially the gang leaders, to incapacitate the gang and reduce street gang violence. TARGET personnel are assigned exclusively and full-time to the participating police department.

In previous years, the Costa Mesa Police Department was an active partner in the TARGET program. The TARGET program was quite successful in Costa Mesa, to the extent that gang crime was reduced to a level that the District Attorney felt it appropriate to reassign the TARGET personnel to another agency experiencing higher levels of gang crime and thus in greater need of the TARGET resources. Since that time, the level of gang activity in Costa Mesa has slowly risen to the point where the Costa Mesa Police Department has made a formal request to re-institute the TARGET program in Costa Mesa. The Deputy District Attorney in charge of the TARGET program has reviewed the request and supporting statistical data and has taken into strong consideration the fact that the Costa Mesa Police Department has at its own initiative contracted with the Orange County Probation Department to fund the

probation component of the TARGET concept. The proposal is now before the District Attorney for final approval.

In anticipation of Mr. Rackauckus' approval, the Police Department is submitting an additional personnel request of an Office Specialist II in the Fiscal Year 2007-2008 budget to support the high volume of paperwork and caseload that will be generated by this aggressive enforcement and prosecution program.

#### Truancy Enforcement Programs:

Another strategy under development is the daytime curfew ordinance for truancy enforcement. The Costa Mesa Police and the Newport Mesa Unified School District (NMUSD) staff are in agreement that keeping children in school can reduce the risk of failure in school as well as participation in gangs and crime in general. The police and school staffs are developing a daytime curfew ordinance that has proven to be effective in other gang impacted communities. According to the NMUSD, unexcused absences average about 222 per day district-wide, with approximately two thirds of those absences being students from Costa Mesa schools. In essence, the daytime curfew ordinance makes truancy an offense for which a citation can be issued and the juvenile is then returned to school or parents. The juvenile must appear in court with their parent and pay a fine or participate in the court approved diversion program. The fine can increase with each violation. This proposal has been reviewed by the City Attorney and is intended to be submitted to the City Council in the near term.

#### Civil Gang Injunction:

Gang injunctions are another potential tool in the Gang Initiative enforcement and suppression strategy. A gang injunction is a civil lawsuit against a street gang and its members based on the legal theory of public nuisance. The injunction restricts gang members from engaging in a variety of actions deemed to be a public nuisance as such actions interfere with the community's enjoyment of life and property within the Safety Zone as defined by the injunction. The gang injunction is only effective within the geographic area as delineated in the injunction as the Safety Zone. Specific gang members are named in the lawsuit and subsequently are served with a copy of the injunction. Once served, any violation of the prohibitions of the injunction committed in the Safety Zone subject that gang member to arrest by police officers. Typical restricted behavior could include prohibitions against associating with other gang members, intimidation, fighting, alcohol, drugs, trespassing, graffiti, gang attire, weapons, etc. At present, Anaheim and Santa Ana (including parts of Garden Grove) have active gang injunctions for two specific gangs.

#### Surveillance Cameras:

The Police Department is researching various surveillance camera systems to deploy in combating gang crime, as well as other non-gang related crime. The systems under

study are high-resolution digital cameras that can provide both real-time monitoring of crime in progress and archiving of images to investigate a crime after the fact. Some of these cameras are intended to be mounted throughout the City at locations of high incidents of gang crime. For example, areas known for the congregation of gang members, high graffiti activity, or violent gang crimes, which are within the public view, could be placed under constant surveillance by these cameras.

Further, with the permission of a property owner, the cameras could provide surveillance for criminal gang activity on private property. This system is wireless and transmits the images from the camera to be monitored live from the police station. For crimes in progress, the viewer can control the cameras with pan, tilt, and zoom capabilities to verify criminal activity is occurring, to obtain physical descriptions of suspects and vehicles for broadcast to field officers, to identify witnesses and victims to be contacted at the location, and to coordinate and direct the response of patrol officers to the scene. For crimes already committed, the archiving capability allows investigators to retrieve the digital images from the computerized storage program and view for obtaining suspect and vehicle description, for confirmation of statements by victims and witnesses, and for presentation as court room evidence for prosecution.

The camera system infrastructure is approximately \$40,000 to \$45,000 including computer hardware, software, monitors, and wireless remote linkage. In addition, the cost of each camera is approximately \$3,000 to \$4,000 with the ability to link dozens of cameras to the central computerized system infrastructure. The Police Department has applied and been approved for grant funding to start this project through the Homeland Security Agency's Buffer Zone Protection Program. The projected time for researching, purchasing, and receiving this surveillance camera system is the Fall of 2007. The Police Department will pursue supplemental grant funding, such as the Citizens Option for Public Safety/State Law Enforcement Supplemental Funds (COPS/SLESF), to purchase additional surveillance cameras.

#### Gang Crime Evictions:

Although the eviction ordinance was instituted prior to the Gang Initiative, it is discussed here for informational purposes. Historically, the enforcement of the eviction statutes has been more effective in narcotics cases. The gang statute cannot be imposed unless the gang crime is directly connected to the property where the gang member resides and the gang member is arrested (CMMC 11-191[i]). Adverse case law has diminished the reach of these municipal codes. In the analysis of the Police Department staff, this statute should be imposed whenever possible, but the statute cannot be legally imposed with enough frequency to have a significant impact on the overall gang situation. To date, only one gang related eviction has met the legal standard for imposition of this ordinance.

### **Intervention and Prevention**

The second prong of the Gang Initiative is the prevention and intervention component.

The purpose of the following is to discuss the nature and efficacy of gang prevention and intervention programs, to review the justification for the proposal to enter into a contract with the Newport Mesa Unified School District (NMUSD) for the providing of prevention and intervention services, and to present alternatives to the proposed contract with NMUSD.

### Overview

The makeup of the street gangs in Costa Mesa generally ranges in age from early teens, or younger, to mid 20's. Although enforcement and suppression efforts have reached a level of effectiveness in the arrest, prosecution, and incarceration of criminal gang offenders, these gangs persist through constant recruitment of younger siblings, neighbors, schoolmates, etc. to perpetuate the gang. Until this recruitment cycle is broken, the existence of these gangs will undoubtedly continue. Prevention and intervention strategies are designed to break the cycle.

Prevention primarily focuses on steering youth away from gangs before they become involved. Intervention primarily focuses on extricating gang members from and keeping them out of gangs after they have become involved.

Prevention and intervention entail providing at-risk youth a range of resources to offer positive alternatives to gang involvement. Such resources may include tutoring, after school programs, life skill instruction, mentoring, vocational training, employment placement, etc. In appropriate cases, intervention and prevention should involve the parents by offering parental skills development.

A number of community groups, social services, and schools have many of these resources available. At present, however, there is no central person or entity that can coordinate the accessing and utilization of these resources. A designated gang interventionist would fulfill that role.

More specifically, the role of the interventionist would be to provide for the following:

- Early identification of at-risk youth
- Provide a reasonable range of services or resources
- Make referrals to other outside services or resources as necessary
- Track the progress of individual youths participating in referral programs
- An accounting of the efficacy of the intervention program

### Alternatives Considered

As conceived by the Costa Mesa Police Department, this prevention and intervention program is designed to target specific individuals who are identified as being at risk of joining and engaging in gang activity. This is in contrast to broad based educational programs that provide gang resistance curriculum to all children of a particular school

grade level. One of the more well-known educational programs is Gang Resistance Education and Training (GREAT), designed to give young students skills needed to avoid gang pressure and youth violence. Specially trained, uniformed law enforcement officers teach the prevention curriculum of life-skills competency in the classroom of elementary and middle schools. Although such educational programs report levels of success, some independent empirical evidence suggest these programs cannot support their efficacy in achieving their stated objectives. (OJJDP, Esbensen, Finn-Aage, 2000, p. 7). Therefore, it is the opinion of the Police Department, based on the available research, that prevention and intervention aimed at specific individuals demonstrating behaviors indicative of potential future gang involvement should be the focus of the department's prevention and intervention efforts at this time. At a later date, the broad based educational programs may be given more consideration.

### Background

The Costa Mesa City Council has authorized funding in the FY 06-07 budget for a gang intervention specialist to work with youth at risk for gang involvement. The gang intervention specialist will develop a program to identify youth at risk for gang involvement and implement a strategy to divert them from gang participation. The gang intervention specialist is only one component of the city's Gang Initiative.

As required by the City of Costa Mesa Municipal Code, the "Request for Proposals" was solicited from qualified vendors whose names were on the bidders' list and other vendors requesting a bid package. Three prospective bidders were invited to participate. A "Request for Proposals" was published in the Daily Pilot and posted on the public bulletin board in City Hall. The notice was also posted on the City's web site. Two proposals were received and police staff conducted the evaluation process. The three criteria used in the evaluations were: a) technical response, b) vendor's qualifications, and c) the proposed value for costs. The proposal by the NMUSD was recommended by police staff.

### Analysis of Gang Prevention and Intervention Programs

Costa Mesa is not alone in its efforts to find effective gang eradication strategies. The Advancement Project, a multi-agency task force in Los Angeles County, recently produced a report on gang reduction strategies and concluded the following;

"After a quarter century of a multi-billion dollar war on gangs, there are six times as many gangs and at least double the number of gang members in the region. Suppression alone - and untargeted suppression in particular - cannot solve this problem." (The Citywide Gang Activity Reduction Strategy: Phase III Report, Executive Summary, 2006, p. 1)

The Advancement Project Report also noted that there were a number of public and private gang intervention and prevention programs in Los Angeles County, but these programs were too small in scale, too diffuse in focus, and lacking in coordination to

have any impact on the gang problem (p. 1). The Advancement Project ultimately found that to reduce gang activity and violence a comprehensive strategy of intervention, prevention and strategic suppression must be employed. For maximum effectiveness, the prevention programs must be “school-centric” or based around the public schools (The Citywide Gang Activity Reduction Strategy: Phase III Report, Summary of Recommendations, 2006, p. 2).

Rocky Delgadillo, the City Attorney for Los Angeles, authored the *Anti-Gang Plan: A Guide to Reducing Gang Activity in the City of Los Angeles*. Although Mr. Delgadillo’s role as the city attorney is primarily prosecutorial and enforcement directed, he has acknowledged the limitations of an enforcement-only gang eradication strategy. His plan recommends a multi-faceted approach that also includes enforcement, intervention and suppression (2007, p. 2). It is important to note that Mr. Delgadillo has been a leader in innovative enforcement strategies that have produced excellent results such as gang injunctions, enhanced sentencing, and targeted enforcement. Despite this, Mr. Delgadillo has recognized the need for a “. . . collaborative, proactive approach.” He recognized the failure of the reactive enforcement oriented approach saying, “A scattershot, reactive approach to gang reduction does not - will not - work.” (p.2).

These findings are supported by independent research supported by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP). In an OJJDP study entitled *Preventing Adolescent Gang Involvement*, the research concluded that gang suppression programs targeting existing gang members:

“. . . have shown little promise. Some . . . programs have produced the unintended consequence of increased gang cohesion. Operation Hammer, CRASH and similar law enforcement crackdowns have proven to be inefficient suppression approaches to gang activity and are not cost effective.” (Esbensen, Finn-Aage, 2000, p. 9)

To summarize the findings of these four anti-gang plans, there is compelling evidence that enforcement and suppression programs alone cannot eradicate gangs, and in many cases they are insufficient to contain the gang problem.

### Establishing the Efficacy of Intervention and Prevention Programs

The implementation of Community Oriented Policing and Problem Solving (COPPS) philosophy as a national model for policing was initiated in part on the acknowledgement that traditional enforcement and suppression models were inadequate to mitigate crime in general. The U.S. Department of Justice, Office of Community Oriented Policing Services endorses the view that effective gang suppression strategies must include prevention and intervention components. In 2003, the Department of Justice disseminated a compilation of fifty-eight model programs that were characterized as “Best Practices in Gang Intervention and Gang Violence

Prevention.” These models were endorsed as best practices by the U.S. Conference of Mayors. A survey of these model programs reflects a broad array of methods and measures of effectiveness. A critical review of these programs suggests that some of the claims of effectiveness and their measures are of dubious quality and should be met with skepticism. As an example, some agencies used the decline in the number of gang homicides as measure of success for their prevention program. Others used declines in gang crime and in some cases declines in gang crime that were occurring as a national trend as a measure of success. Despite this, a general observation can be made: agencies using only enforcement strategies measured their success in the reduction of gang crime. Agencies that used a prevention, intervention and enforcement model measured their success not only in the reduction of gang crime, but also in the reduction in the numbers of gangs and gang members.

Other agencies in Orange County have developed and implemented prevention and intervention programs. The Orange County Sheriff’s Department has adopted a prevention and intervention strategy to address the problem of gangs. In 1987, the Sheriff started the “Drug Use is Life Abuse” program to reduce drug use and criminality by juveniles. In 1992, with public concern regarding crime at an all time high, the Sheriff implemented a gang prevention and intervention program, “Project: No Gangs,” that was supported by the Orange Chief’s and Sheriff’s Association (OCSD Website). The strategic plans for both programs call for approaching drug and gang awareness and prevention issues from four angles: Community Awareness, Youth and Education, Workplace, and General Public. Deputies from the Orange County Sheriff’s Department from “Project: No Gangs” speak to the community about drug and gang issues. They also provide information regarding the consequences of drug and gang involvement, ‘signs’ to look for, and drug use and gang violence prevention methods are provided. These two programs are similar in nature to the DARE and GREAT programs.

In addition to these programs, the Sheriff’s Department has participated in operating a variety of delinquency prevention and intervention programs with the Orange County Bar Foundation. One notable program is the “Shortstop” project which takes youths referred by law enforcement agencies and gives them a close-up look at the criminal justice system and the negative implications criminal activity can have on their lives.

The University of Colorado Center for the Study and Prevention of Violence (CSVP) conducted a study of six-hundred intervention and prevention programs. The goals of these programs focused on the mitigation of substance abuse, violence, delinquency and academic failure. The CSVP established the following criteria for evaluating successful programs:

1. Evidence of deterrent effect with a strong research design
2. Sustained effects beyond the period of program participation
3. Multiple site replication
4. Costs versus benefits analysis

Although many of the six-hundred programs were determined to have some degree of effectiveness, twenty-nine programs were ultimately identified as “Blueprint” models or promising programs. These scientifically validated model programs have many of the component parts that the Costa Mesa gang intervention program is attempting to develop and coordinate. The following describes a Blueprint model that is comparable to the Costa Mesa model:

“Multisystemic Therapy (MST) is an intensive family and community based treatment that addresses the multiple determinants of serious antisocial behavior in juvenile offenders. The multisystemic approach views individuals as being nested within a complex network of interconnected systems that encompass individual, family, and extra familial (peer, school, neighborhood) factors. Intervention may be necessary in any one or a combination of these systems.” (See CSPV website: <http://www.colorado.edu/cspv/blueprints/model/Programs/MST.html>)

Two recent cost-benefit studies involving Blueprints programs—the RAND Corporation Study and a study by the Washington State Institute for Public Policy—suggest that these programs are cost-effective (Greenwood, Model, Rydell, & Chiesa, 1996; Washington State Institute for Public Policy, 1998, 2001).

It is important to note that one of the key findings of the CSVP was that to aggressively reduce violence and crime in schools and in the community, it is imperative that the schools and police establish an effective partnership to jointly operate intervention and prevention programs.

In developing the proposed gang eradication program, police staff consulted with several nationally recognized gang experts:

- Dr. Cheryl Maxson, PhD: Professor in the Department of Criminology, Law and Society, University of California, Irvine
- Dr. John Dombink, PhD: Professor in the Department of Criminology, Law and Society, University of California, Irvine
- Wes McBride (LASD Ret.): President, California Gang Investigators Association and Consultant to the Advancement Project

Police Department staff asked these experts to validate what programs worked and what programs did not work. A summary of their findings suggest the following conclusions:

- Incarcerating gang members does not stop gang association, gang activity or participation in gangs. In some cases, incarceration increases the degree of involvement, the propensity for violence and the criminal sophistication of gang members.

- Programs that are based on creating an aversion to gangs or criminal activity such as “Scared Straight” do not work and may actually encourage future gang and criminal participation.
- Programs that target at-risk children before they become gang members show the greatest promise of preventing future gang participation and are more cost-effective.
- Keeping children in school can prevent gang participation.
- Programs that establish positive relationships with parents, teachers, coaches, counselors and mentors have proven to be effective intervention strategies.
- Programs that teach effective parenting can prevent gang participation.
- Programs that provide activities for at-risk youth have proven to be effective prevention strategies.

Ultimately, the OJJDP concluded that:

“ . . . Clearly, there is no one “magic bullet” program or “best practice” for preventing gang affiliation or gang-associated violence. The youth gang problem is one that will be best addressed through a comprehensive strategy that incorporates primary, secondary and tertiary prevention approaches.” (p.9)

While the Police Department is proposing a new and innovative approach to preventing and eradicating gangs, they are committed to operating gang prevention and intervention programs for which the effectiveness can be empirically verified and validated. As part of this commitment, the program will use a variety of real measures to establish efficacy during the life of the program.

#### The Rationale for Gang Intervention and Prevention Programs in Costa Mesa

It is the analysis of gang enforcement experts in the police department that the City of Costa Mesa is uniquely positioned to benefit from intervention and prevention programs. The gang problem has endured over time, but it has not evolved into the multigenerational problem where individual families produce two, three or more generations of gang members. Therefore, gangs are not as entrenched as in other cities.

Criminal Street gangs in Costa Mesa have not increased their sophistication or moved into economically rewarding crime that would increase their power or dominance. Still, despite a suppression and enforcement program involving a substantial amount of police resource, gang membership has grown over time, to approximately three hundred gang members and serious gang violence and crime still impacts this community. It is rational to assume that the gang problem will continue to grow and/or become more entrenched unless additional measures and strategies are employed. It is the position of the Police Department that intervention and prevention programs should complement existing enforcement and suppression strategies and help reduce

gang membership. To this end, the Police Department recommends the adoption of a program that would specifically target the recruitment of new members and ultimately diminish the gang presence in Costa Mesa.

The Police Department believes that there are a number of viable opportunities to engage in prevention and intervention activities. Reports by the NMUSD staff and Police SROs have indicated that there are cliques of children who start to posture and model gang-like behavior in elementary school. While these children are very likely to enter the gang recruitment track, their activities at this point are not subject to traditional enforcement methods. Prevention and intervention are the only effective means to reach these children because they are not engaged in activity at a threshold that would subject them to enforcement strategies. In these cases, enforcement is not an option.

A key concept in the gang intervention plan is the understanding that youths as young as third, fourth, fifth, and sixth grade will manifest behavior that indicates an interest and attraction to gang participation. These actions could include but are not limited to bullying, the wearing of gang clothing styles, claims of gang involvement, association with gang members, siblings involved in gangs, gang posturing and possession of items indicative of gang involvement. These activities are observable and recognizable and indicate an opportunity to employ a gang intervention strategy. Additionally, active gang members and associates may choose to disassociate from gangs and this provides a window to effectively intervene and to facilitate a transition out of active gang participation.

Another fertile area for gang intervention and prevention options would be in the aftermath of a gang incident. While the police department's primary objective would be to take appropriate enforcement action, there are usually at-risk children who are on the periphery of any gang incident. If police and school staff can proactively identify these youths, then resources can be brought to bear that could help prevent future gang involvement. Along these same lines, parental involvement is considered essential in the prevention and intervention programs. It has been noted that in many cases, the first time a parent becomes aware of their child's nexus to gang activity is the last time that child will associate with or posture as a gang member. Of course, some parents are not as effective in managing children at-risk for gang activity. Both the Police Department and NMUSD have observed that there is a strong demand from parents for information on parenting, especially in the area of dealing with oppositional children and adolescents. NMUSD is operating parenting classes and proactively seeking parents who can benefit from improved parenting skills. Encouragingly, NMUSD staff report rapid improvement in problematic students whose parents attend parenting classes.

The police staff recognizes that there are a variety of public and private social service providers that offer resources that could assist prevention and intervention programs. Some of these include:

- Families Costa Mesa Family Resource Center (FRC).
- Save Our Youth (SOY).
- Boys and Girls Club.
- Boy and Girl Scouts.
- Youth Employment Services (YES).
- Various youth sporting activities.
- City of Costa Mesa resources such as recreational activities and programs.
- Any agency or entity that can support and sustain gang suppression or intervention efforts.

### Alternative Proposals Considered

Two gang intervention proposals were submitted for consideration. The recommended proposal was submitted by NMUSD. The other proposal was submitted by Community Service Programs (CSP) which is a non-profit organization that currently provides counseling services under contract to the police department for juvenile offenders involved in non-gang crime. The CSP proposal was to create an after school program that would include counseling. The CSP proposal was considered to be inferior to the NMUSD proposal for the following reasons:

- Contracting with CSP would interpose an additional bureaucracy between CMPD and NMUSD. This would increase the difficulty of coordinating activities.
- The CSP plan was going to spend 50% of the budget on supervision and overhead while NMUSD was not going to spend any of the contracted funding on overhead.
- CSP did not provide any additional services other than the contracted services while NMUSD could provide an array of support services without additional funding.
- The CSP program duplicated existing after school programs, specifically SOY. The CSP proposal asked to be housed at the same location as SOY.

In the final analysis, police department staff that conducted the review concluded that the CSP proposal was not the type of intervention program and comprehensive coordination of resources that had been envisioned for the gang eradication plan.

### Basis for Selecting NMUSD as the Contract Provider

In the analysis of the Police staff, NMUSD and the Project ASK program is an ideal partner to contract with for intervention services. Project ASK is a program within

NMUSD which has substantial federal grant funding to provide for safe schools and healthy students. The safe schools initiative consists of the following:

- Federal collaboration among the U.S. Departments of Education, Health and Human Services and Justice.
- Grants are awarded to local school systems working in partnership with local law enforcement and mental health agencies.
- NMUSD grant is 8.23 million over three years (\$2,744,545 yearly).

To ensure a comprehensive approach, the program links six core elements:

1. Safe school environment
2. Violence, alcohol, and other drug prevention and early intervention services
3. School and community mental health prevention and intervention services
4. Early childhood psychosocial and emotional development services
5. Supporting and connecting schools and communities
6. Safe school policies

The ASK Project program goals and principle objectives are:

- Reduce the number of students that demonstrate at-risk behaviors, have been suspended, expelled, referred to School Attendance Review Board (SARB) and/or referred to Access
- Improve/Increase services to “at-risk” children and their families
- Link child-serving agencies in a collaborative manner
- Decrease violence, substance abuse and school disciplinary activity
- Increase the health development of children
- Link security with healthy childhood development
- Provide comprehensive, coordinated services that are developmentally appropriate
- Encourage school/law enforcement and health partnerships
- Implement science-based programs with demonstrated outcomes

The CMPD and NMUSD have a long history of partnership in the area of school security and gang suppression. The police department and NMUSD jointly fund and operate the SRO program, share information on school security and gang activity, and work together to suppress juvenile delinquency. In meetings with Project ASK staff, they have made a commitment to review all of the school district disciplinary and intervention programs to evaluate their effectiveness. If the programs are effective, they will be retained. If the programs are not effective, they will be revised or eliminated.

Police staff has observed this process and this approach is already improving many of the key programs. As an example, Project ASK has aggressively attacked the problem of truancy. First, they developed a detailed and accurate analysis of the

scope and size of the truancy problem. They completely redesigned SARB to make it more effective and they are currently working with Police staff to develop other truancy prevention programs. In another example of the drive to achieve effective systems and programs, Project ASK recognized that some NMUSD policies did not effectively help problematic children but rather these policies pushed children through the cracks where they tended to become involved in gang activity or delinquency in general. Project ASK has taken assertive actions to revise these policies.

The most compelling reason for partnering with NMUSD and Project ASK is that NMUSD has the statutory authority for the majority of the children in this community and are in daily contact with the target audience for gang prevention and intervention programs (Privately and home schooled children will have access to all NMUSD programs if requested or referred. Project ASK is available throughout the NMUSD). Moreover, Project ASK maintains a comprehensive database of all the students that tracks an array of factors that would be relevant to the identification of at-risk children. This database also provides the ability to track outcomes to validate the effectiveness of the gang intervention program. Finally, Project ASK houses a variety of resources that can be used to provide for effective interventions.

Special Note: This program is not a grant to be given to NMUSD. The contract with NMUSD for gang intervention services will give the police department oversight and quality control. The contract will formalize the intervention and prevention roles and formally integrate the two entities on issues of security, prevention and intervention. The goal of this partnership will be to create a seamless and systematic approach to prevention, intervention and suppression. As previously noted, there is a wide array of public and private social services that provide a safety net to keep youth out of gangs and prevent them from engaging in criminal activity. The goal of the police/school partnership will be to make the safety net tighter so that fewer children will slip through.

### Cost-Benefit Analysis

As an independent benchmark, the MST model, identified as a Blueprint Model Program by the University of Colorado CSPV, has achieved favorable outcomes at cost savings in comparison with traditional mental health and juvenile justice services, such as incarceration and residential treatment. At a cost of \$4,500 per youth, a recent policy report concluded that MST was the most cost-effective of a wide range of intervention programs aimed at serious juvenile offenders (CSPV Website: <http://www.colorado.edu/cspv/blueprints/model/programs/MST.html>.) This program is an excellent benchmark because of its parallels to the Costa Mesa intervention model and because MST targeted serious offenders who pose the greatest challenge to intervention programs.

Enforcement and suppression efforts are necessary, but costly. Some of the costs associated with enforcement include:

- Annual Cost for CMPD Gang Detail: \$710,000  
(Excluding overtime, equipment and training costs)
  - Two School Resource Officers \$270,000
  - Graffiti Removal Crew \$190,042
  - Annual per capita cost for a juvenile ward CYA: \$71,700\*
  - Per capita cost for an adult prisoner CDC: \$34,150\*
  - Recidivism Rate for all offenses over 2 years 51.08%\*
- (\*As reported by California Department of Corrections, 2004)

As noted, the cost of housing one youthful offender in CYA for a year exceeds the entire budget for the proposed gang intervention and prevention program. In this respect, the successful prosecution of a gang member is expensive and can be employed only after someone has been victimized. Costly enforcement programs are reactive and require that the targets engage in criminal activity before action can be taken. Conversely, prevention and intervention programs are relatively inexpensive and are proactive. Police, school officials and other partners can engage in prevention activities on a non-stop basis.

Recommendation regarding prevention and intervention

The Police Department is of the opinion that prevention and intervention strategies are a necessary component of any plan to eradicate gangs. Therefore, the department recommends that the City Council approve the professional services agreement with the NMUSD for Project ASK.

**SUMMARY**

The following is a summary of the City of Costa Mesa Gang Initiative as presented in this report. It includes what is currently being done to address gang related problems, what is being requested as financial resources in the upcoming Fiscal Year, and what additional support is requested to expand the Police Department's effort.

1. The Costa Mesa Police Department currently engages in an aggressive effort of enforcement against gang crime. The six Gang Officers and Sergeant work diligently to identify and document gang membership, to detect and enforce against any violation of the law by gangs, to maintain a visible anti-gang presence in the community for deterrence of local gangs, and to cooperate with other law enforcement agencies to combat gang crime on regional level. The SRO's take an active role on campuses in providing a strong deterrence to gangs and gathering gang intelligence. Augmenting the Gang Detail is one full-time Orange County Probation Officer dedicated solely to Costa Mesa. To facilitate the flow of information from citizens to the Police Department, a Gang Hotline is now operational.

The Police Department uses opportunities such as Neighbor Watch, Town Hall meetings, and the Citizens Police Academy to inform community members of these current anti-gang efforts. The department conducts approximately twenty Neighborhood Watch meetings each year and two Citizens' Police Academies each year, with 30-35 people completing each one. As the Police Department's website is developed, information on these efforts will be featured as well.

2. To enhance the enforcement against gangs additional resources are being requested by the Police Department as part of the proposed Fiscal Year 2007-2008 budget process.
  - First, to continue the staffing of the Probation Officers, funding for the renewal of the contract is requested.
  - Second, two new SRO's are being requested to expand the anti-gang police presence to the middle and elementary level schools.
  - Third, should the Orange County District Attorney's Office grant the Police Department's request to institute the TARGET program, the hiring of new Office Specialist II position is requested for clerical support of the anticipated heavy increase in caseload.
  
3. Additional support, as appropriate and when needed, is requested from the Council for the following:
  - First, the approval of the agreement between the Orange County District Attorney's Office and the City of Costa Mesa, should the District Attorney approve the request of the implementation of TARGET program at Costa Mesa.
  - Second, continued support for obtaining the surveillance cameras through the Homeland Security Agency's Buffer Zone Protection Program and in the near future approval to utilize grant funds, such as the Citizens Option for Public Safety / State Law Enforcement Supplemental Funds (COPS/SLESF), to purchase additional surveillance cameras.
  - Third, approval for NMUSD/ASK as the vendor to administer the intervention program in partnership with the Costa Mesa Police Department.

By endorsing the City of Costa Mesa Gang Initiative, the City Council will provide the framework and tools necessary for the Costa Mesa Police Department to continue its aggressive enforcement efforts against criminal street gangs. It will also allow the Police Department to enhance those partnerships with outside agencies such as the Orange County Probation Department and the Newport Mesa Unified School District that are crucial to the success of the enforcement, intervention, and prevention components of the Gang Initiative. This initiative is based on best practice principles

as recognized throughout the criminal justice system and will put the City of Costa Mesa at the forefront of gang enforcement and reduction.

**FISCAL REVIEW:**

See summary review, item number two above.

**CONCLUSION:**

It is recommended that the Council endorse the Gang Initiative, award the proposal No. 1105 to the Newport Mesa Unified School District, and authorize the Mayor and City Clerk to execute the Professional Services Agreement.

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CHRIS SHAWKEY  
Chief of Police

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RON SMITH  
Police Captain

- Attachment I: [City Council Agenda Report, January 2, 2007](#)  
[Gang Intervention Services Agreement](#)
- Attachment II: [Bid Tabulation](#)
- Attachment III: [Professional Services Agreement](#)
- Attachment IV: [Memorandum: Gang Initiative—City Council Follow-Up Questions](#)