



Anti-Gang Injunction FACT SHEET

The City of Oakland has asked the court for an injunction against the Norteños, a violent criminal group responsible for countless murders, shootings and other crimes in the Fruitvale. In June, the court ordered the City's first injunction against a gang in North Oakland. Nov. 2010

- **What is a gang injunction?**

An injunction is a civil court order similar to a restraining order. Within an area called a "Safety Zone," it protects the community by restricting the criminal activity of individuals who are proven in court to be active gang members. On October 13, 2010, Oakland filed a lawsuit against the Norteños – one of the most violent gangs in the city. Although injunctions cannot solve all gang crime, they are one way to reduce the number of bullets fired on our streets.

- **Why the Norteños?**

The Norteños have been involved in at least 35 shootings this year alone (OPD data). They have been one of the most destructive criminal organizations in Oakland for generations. Shots fired at or by the Norteños have injured or killed too many uninvolved bystanders – many of them children.

- **Who exactly is restricted by the injunction?**

The injunction would apply to 40 members of the Norteños based on their criminal records, and in most cases, on their own claims of gang membership. These defendants have convictions for crimes including assault with a deadly weapon, robbery, possession of an assault weapon, drug sales, arson, domestic violence and shooting. The injunction only applies to specific people who have committed crimes against their neighbors in the Safety Zone. It does not apply to anyone outside of this group.

- **Will this injunction include juveniles?**

No, injunctions in Oakland only apply to adults. No youth will be included in any injunctions in Oakland.

- **What does the injunction do?**

Within the Safety Zone, defendants would be restricted from carrying guns, menacing or assaulting witnesses, recruiting young people, selling drugs, vandalizing property, associating with each other in public or being on the street between 10 p.m. and 5 a.m. There are important exceptions to the last two restrictions for work, school, religious activities and emergencies. A violation of the injunction is considered contempt of court punishable by up to six months in jail/\$1,000 fine. If someone breaks the law, police can still arrest them. The injunction makes it harder for individuals in the gang to plan and commit crimes in a specific area.

- **How are gang members added to the injunction, and can they ever be removed?**

All individuals included in the injunction have Constitutional due process rights and the opportunity to defend themselves in a public court hearing. *They can only be included with approval from a judge based on clear and convincing evidence of criminal behavior within the Safety Zone.* Importantly, anyone who is currently not associated with the gang can go through an "opt-out" process to be removed.

