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## Oakland Tribune, The (CA)

### Oakland Tribune editorial: Gang injunction is a tool worth trying in Oakland

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MediaNews editorial

OAKLAND CITY Attorney John Russo has requested an injunction — essentially a restraining order — against 19 adults who law enforcement officials allege are connected with a violent North Oakland gang.

In 2009, according to law enforcement officials, so-called North Side Oakland gang members were implicated in seven murders. One of those on the city's injunction list accidentally shot his friend in the chest when he was trying to kill a rival gang member.

These alleged gang members have been terrorizing law-abiding residents who live on their "turf" for far too long.

In fact, it was representatives from the local Neighborhood Watch Prevention Councils who approached Oakland law enforcement officials about using court-ordered injunctions, which have been employed in other California cities to help stem gang violence.

The Oakland injunction would prevent the now 15 adults on the list from associating with other North Side gang members (four of the originals are in custody) within a defined geographic "safety zone." The only allowable exceptions would be when members are inside a school attending class, in church, at a place of employment or training, or when attending counseling sessions or community meetings.

The injunction further prohibits intimidating or assaulting witnesses, possessing firearms or other dangerous weapons, or engaging in drug use or sales. It also mandates a 10 p.m. to 4 a.m. curfew.

Violators could be punished by up to six months in jail and a \$1,000 fine.

The American Civil Liberties Union has filed a brief opposing the injunction on the grounds that it violates the civil liberties of the named individuals. Others claim the requested order criminalizes youth, and that it would be counterproductive because it would merely drive gang members from one part of the city into another.

First, the order only applies to adults 18 and over, not youth. Second, gang members won't be able to easily set up shop in nearby areas because those sections are controlled by other gangs.

There are valid concerns that an injunction, if misapplied, could trample people's rights.

But we believe Russo understands that it must be carefully monitored.

The injunction Oakland requests is not a blanket, free-for-all that would allow police to massively round up young people. It is a narrowly tailored order that applies to the alleged members of a specific and very dangerous gang — whose members proudly proclaim their affiliation through tattoos and on social media sites.

Those who want to appeal their cases will have the right to do so before a three-member panel.

No one is suggesting that an injunction will solve Oakland's gang problem. Gang injunctions have had mixed results in other cities.

However, Oakland Police Chief Anthony Batts found them effective when he was chief in Long Beach, which is why he supports using injunctions in Oakland.

U.S. Attorney General Eric Holder during a recent trip to Oakland, applauded the city's proposed injunction as a creative way to go after gangs and protect communities.

The city returns to court Thursday to argue its case.

We urge the court to approve Oakland's request.

Oakland hired an ambitious new police chief in Batts. Now we must give him the crime-fighting tools he's asked for to get the job done.

Correction

In Saturday's editions of this paper a byline was list incorrectly on an op-ed submission about the controversy over students wearing the American flag on Cinco De Mayo in a Morgan Hill High School. The writer's correct name is Andrew David King.

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