



A Tradition of Stewardship
A Commitment to Service

NAPA COUNTY GRAND JURY

2008-2009

Final Report on

NAPA VALLEY GANGS

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NAPA COUNTY GRAND JURY
P.O. BOX 5397
NAPA, CALIFORNIA 94581

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June 9, 2009

The Honorable Raymond A. Guadagni
Presiding Judge
Superior Court of the State of California
County of Napa
825 Brown Street
Napa, CA 94559

Dear Judge Guadagni,

Pursuant to Section 933(a) of the California Penal Code, the 2008-2009 Napa County Grand Jury submits to you its Final Report on Napa Valley Gangs. Our investigation of this subject was conducted in a manner consistent with the California Penal Code, this Court's Charge, and the historic role of the Grand Jury – to protect the interests of the citizens of Napa County.

This is the twelfth in a series of final reports we will be issuing before our term ends. I would like to acknowledge the hard work and dedication of the Grand Jury which our report reflects. It is a privilege and a pleasure to work with them.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "William E. Trautman".

William E. Trautman
Foreperson
2008-2009 Napa County Grand Jury



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P.O. BOX 5397

NAPA, CALIFORNIA 94581

To the Citizens of Napa County:

The 2008-2009 Napa County Grand Jury is engaged in several comprehensive investigations of various governmental agencies and related matters in Napa County. This report is the result of our investigation into the existence of gangs in Napa County and their impact on our community.

The Grand Jury was alarmed to find the extent to which gangs impact our community. Gang activity is no longer something that happens elsewhere. The growing presence of gangs is an issue that must be acknowledged by the community.

Although there are several small gangs residing in Napa County, the Grand Jury found that two major Hispanic gangs; the Sureños and Norteños pose the greatest potential problem for law enforcement, parents, educators, families and commerce. Their presence has been documented in every community in Napa County – including every high school and middle school.

Unfortunately, until there is a high-profile incident, segments of the community are unwilling to acknowledge gang problems for fear it will reflect poorly on the community and the culture. If it is not politically expedient to acknowledge the impact of gangs in Napa County, then the community should consider the consequences when youth join gangs; depletion of valuable resources, increase in high school dropout rates and increase in crime.

According to a 2007 report *School or the Streets* issued by a bipartisan anti-crime organization, "High school dropouts are three and one-half times more likely than high school graduates to be arrested, and over eight times more likely to be in jail. Furthermore, the report finds that a 10% increase in graduation rates in Napa County would result in 79 fewer aggravated assaults.

Taking action against gangs and providing youth alternatives that will deter them from joining gangs can effectively reduce crime and safeguard the community for the future.

The Napa County Counsel has reviewed this final report on Napa Valley Gangs and the Presiding Judge of the Napa County Superior Court has certified that the report complies with Title 4 of the California Penal Code. The report has also been accepted and filed as a public document by the County Clerk.

Copies of this report are available for your review in the Napa City/County Library and online by following the link to Grand Jury at <http://www.napacourt.com/>. It is our pleasure and honor to serve you during the 2009-2009 Grand Jury tenure. We hope you find our report informative.

Respectfully submitted,

The 2008-2009 Napa County Grand Jury

NAPA VALLEY GANGS

“A community will have the level of gang activity that it is willing to tolerate.”

David Paulson, Author

SUMMARY

The 2008-2009 Grand Jury conducted an investigation into gang activity within Napa County as a component of its annual investigation of the Criminal Justice system. Gangs are a problem not only for law enforcement, but for parents, educators, youth and the community. Gangs damage families, neighborhoods, commerce and schools and adversely impact Napa County's quality of life and drain millions of dollars in public resources.

The growing impact of gangs in our community is a problem and must be acknowledged by citizens of Napa County. Therefore, it is essential the entire community send a clear message to gangs. Acknowledgement and action are the only tools communities have to combat the influence of gangs. Eliminating gangs and their activities must receive the governmental and financial support commensurate with their growing impact. Lack of public acknowledgment by local governments, school officials and the community denies the urgency of the problem and forestalls meaningful action.

According to the National Alliance of Gang investigators, gangs are growing throughout California. Migration of gangs from Mexico and Central America are increasing. They are no longer a threat limited to major cities. Their influence is now evident in surrounding suburban and rural areas. Napa County has been impacted by the increase in Hispanic gang migration bringing a multitude of social issues associated with their lifestyle including violence, intimidations, increased high school drop-out rates, and high incarceration rates.

The Grand Jury found two major Hispanic gangs are most prominent in Napa; the Sureños and Norteños. These gangs are bitter rivals and their presence has been documented in every community in Napa County. Every middle school and every high school in the County is impacted by gang presence. The facts indicate that even smaller communities, such as St. Helena and the rural area Angwin, have gang activity.

Grand Jury interviews with agencies and officials throughout the County report the level of violence, use of firearms and weapons, and gang membership is increasing although gang incidents have decreased. Compounding this trend is the burgeoning gang activity in surrounding counties. The 2004 Gang Violence Suppression document and confirmation from the 2008-2009 Grand Jury interviews indicates there are large Norteños and Sureños populations in Solano, Sonoma and Lake Counties. The presence of heavy gang activity surrounds Napa County.

Napa County gangs have yet to acquire sufficient economic power to attract the interest of prison gang leaders. Currently, they are viewed as social networks and not full-scale criminal enterprises; however, prison gang leaders do have the ability to control gang activity

from within state and federal prisons. There is little evidence of communication between Napa County Norteños and Sureños and their prison counterparts. However, they use the same written symbols, tattoos and attire as their prison counterparts. High level Hispanic prison gangs, Mexican Mafia and La Nuestra Familia, can exert influence and control over local gangs and the movement of drugs and guns.

Unfortunately, until there is a high profile incident, not all in the community are willing to acknowledge gang problems for fear it will reflect poorly on the community and the culture. In response to the high profile murder of a Norteños gang member in 1998, Napa law enforcement provided a coordinated anti-gang campaign. The incident was followed by three more major incidents which led to eleven people being shot. Since 1998, Napa County gang membership and gang violence has increased, but the community outrage and governmental involvement has not been sustained. The Hispanic community appears to be disengaged from public dialogue regarding gang violence. Local government has been exploring program options for several years with no perceptible results.

The collaborative efforts of the Napa County District Attorney's office and law enforcement have limited gang intrusion from neighboring counties. Gangs operating in the surrounding areas circumvent Napa County due to the County's reputation for aggressive law enforcement and prosecution. Given the sheer dominance and number of gangs in Sonoma and Solano counties, coupled with Napa County's growing gang population, it is unclear if these agencies will be able to sustain this level of containment with the current resources and the lack of committed governmental and community support.

The Grand Jury finds School Resource Officers (SROs), police officers assigned to schools, are essential to gang containment. SROs are protection for staff and students and they provide invaluable input for other agencies by closely monitoring community gang activities. It is unfortunate the St. Helena Unified School District recently eliminated SRO positions from their budget. SRO positions need to be increased not eliminated. It is necessary that resources be allocated to programs that work and SROs have proven to be a vital resource in this regard.

The Grand Jury recommends the formation of a newly structured, countywide Gang Task Force to develop localized strategies and interface with community resources, i.e. social service agencies, local school districts, community leaders, interested citizens, law enforcement and youth service organizations. Pooling resources available in the community and creating economies of scale can result in greater effectiveness and efficiency in addressing gang issues. Presently the existing Napa County Task Force leadership is lacking requisite governmental and financial support, and full representation from each law enforcement jurisdiction and social agencies. A full-time staff person is needed to maintain, update, provide follow-up, and coordinate dissemination of information.

BACKGROUND

The California Penal Code 186.22 defines a criminal street gang as:

Any organization, association, or group of 3 or more persons, whether formal or informal, that commits one or more criminal acts listed in 186.22 PC as one of its primary activities: and uses a common name or common identifying sign or symbol; and whose members individually or collectively engage or have engaged in a pattern of criminal activity.

Napa County has gang activity. There are documented cases dating back to 1994 when Napa experienced an outbreak in gang violence. Shootings, stabbings and assaults resulted in the Napa County District Attorney's office spearheading a collaborative effort with law enforcement, school administration, probation and community organizations to meet regularly to address issues, exchange information and develop a coordinated response. Unfortunately, the community and elected officials have disengaged from this issue, lulled by the relative quiet on the gang front.

Statistical Information

Napa County is made up of rural/agricultural communities, and as a consequence is somewhat unique. It is one of the few rural/agricultural counties with median household income and housing values exceeding the state average. The price of homes per capita is the second highest in the Bay Area after Marin County.

According to the 2006 U.S. Census American Community Survey, Napa County's population is 133,522; 64.8 percent Caucasian, 28.2 percent Hispanic and 7 percent other. Persons under eighteen represent 22.7 percent of the population and a language other than English is spoken in 25.2 percent of the homes.

Napa County has approximately 20,000 K – 12 students according to the California Department of Education. The truancy rate is 12.72 percent resulting in over a \$100,000 in lost state revenue to public schools allocated \$34 per day per student. In 2008, there were 2,315 incidents resulting in expulsions or suspensions; 1,210 due to violence and/or drugs. Eighteen expulsions were designated "Persistently Dangerous" under California Department of Education code 48915. This designation accounts for violent assaults with weapons. It is estimated that youth gang members represent 10 percent of the student population.

Gang Culture

The names Norteños (north) and Sureños (south) originally designated whether the gang was from the north or south of Bakersfield. These days, the geographic lines are blurred. The gangs break into smaller units called "sets," each with its own name and turf.

In addition to wearing the color blue, the Sureños identify themselves with the number thirteen. Members draw or tattoo three dots on their arms, hands or near their eyes. They use the symbols "13," "XIII," "X3," "Sur" and "Puro Sur" to mark their turf. They call the Norteños "chaps," "chapetes" and "busters." Sureños originated in southern California and are typically first generation from Mexico.

The Norteños wear the color red and identify with the number fourteen. They draw four dots on their bodies and use the symbols "14," "XIV," "X4," "Norte" and "BPN" (Brown Pride

Norteños). They call Sureños scraps, scrapas, and sewer rats or SURats. The Norteños originated in central California, speak fluent English and are typically second or third generation. Unlike Sureños, they allow non-Hispanic members.

The numbers indicate with which Mafia the gang is affiliated. The number “13” indicates *m*, the thirteenth letter in the alphabet, for the Mexican Mafia, which controls the Sureños from prison. Likewise, “14” stands for *n*, the 14th letter, indicating the Nuestra Familia, which controls the Norteños. The rivalry between the two gangs plays itself out in street violence and graffiti spray-painted on walls.

Gang leaders often direct their siblings and younger recruits from prison. Rather than serving a rehabilitative function, jail/prison often serves as a recruiting arena for gangs. According to a prison gang member:

A week or two before a gang member is released from prison, he will be called to this or that cell. He is given a list of people he should contact. He's given a job, to sell drugs or steal stereos...

Once incarcerated, a gang member instantly becomes aware he has to follow the rules and do what he's told--or pay the price.

METHODOLOGY

The Grand Jury met with law enforcement officials throughout Napa County including SROs and officers assigned to gang units. The Grand Jury also interviewed school officials, and non-profit as well as County funded organizations engaging in youth prevention and intervention.

The Grand Jury reviewed research and reports from various federal and state agencies and non-profit organizations reporting on gang activities, as well as providing programmatic solutions and analysis of anti-gang efforts in other cities and counties. However, there are some limitations; law enforcement agencies and the schools do not collect data and statistics in a standardized manner. Synchronized databases are becoming more widespread, but are more commonly used for intelligence gathering than for crime recording. Also, enforcement agencies are sometimes constrained by governmental considerations or lack of resources. National and regional statistics and federal analysis of gang activity and gang resistance programs are also inconsistent as agencies are still developing standardized methods for tracking statistics and measuring program outcomes. Therefore, the primary source of the Grand Jury information is from interviews, observations and information received from those serving on the front lines of this issue who engage with youth and gang members regularly.

One member of the grand jury was recused from certain aspects of this investigation.

Interviews Conducted

Representatives of:

- Napa County Police Department

- American Canyon Police Department
- St. Helena Police Department
- Calistoga Police Department
- Napa High School Administrators
- Napa County Sheriff's Department
- Napa County Office of District Attorney
- Napa County Department of Corrections
- Napa County Office of Education
- Wolfe Center
- Boys & Girls Clubs of Napa Valley
- Napa Valley Unified School District
- Juvenile Probation Department
- Napa County School Resource Officers
- Napa County Health and Human Services
- Napa County Juvenile Hall
- The Carey Group
- Napa County Jail inmates

Documents Reviewed:

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- Sfgate.com, 1/20/2005, [Gang Turf Spreads to Santa Rosa](#)
- Forums.Petaluma360.com, 10/25/07
- Sonoma-county.org/da/press_release 2008
- Usdoj.gov, [National Gang Threat Assessment 2009](#)
- Co.solano.ca.us/depts./sheriff
- ci.fairfield.ca.us/gangpreventionandawareness
- Justice Policy Institute; Gang Wars, 2007
- Los Angeles Times, September 9, 2008, *L.A. Mayor Antonio Villaraigosa says summer anti-gang programs decreased violence*
- Seattle Times, September 12, 2008, *A Proactive plan to tackle gang violence*
- USA Today, September 7, 2008, *Cities try wrangling gangs with civil suits*
- Marin Grand Jury Final Report 2006-2007, *Marin Gangs*
- Fight Crimes: Invest in Kids, 2007, *School or the Streets*
- U.S. Department of Justice, Office of Juvenile Justice and Delinquency Programs, April 2000, *Predictors of Youth Violence*
- www.justicepolicy.org, June 2005, *Ganging up on Communities*
- *Research Based Juvenile Justice Programs*, May 2005, Washington State Institute for Public Policy, Robert Barnoski
- Napa Unified School District, Board Policy 5136
- California Department of Education Code 32282
- California Department of Education Cod 48900.3
- California Department of Education Expulsion, Suspension and Truancy Information
- Napa County Office of Education Incident Summary Report

- JCCS Referrals Report 2007-2008
- Napa Unified School District Suspension/Expulsion Report
- www.educationalissues.suite101.com/article.cfm/school_uniforms__growing_trend#ixzz0C6txSuLX
- educationwonk.blogspot.com/2005/06/gang-apparel-in-schools-how-two.html
- Napa County Correctional Master Plan, Phase II, 10/13/2008, Carter Goble Lee
- uscensusbureau.census.gov
- gangsandyouthviolence@safestate.org
- schooluniforms.educationalissues.suite101.com/article
- schoolengagement.org/truancy-prevention-registry

DISCUSSION

National Gang Intelligence Center Assessment

Most regions in the United States are experiencing increased gang membership. These increases are largely the result of the continued expansion of nationally gang-operated criminal networks migrating into new areas, and posing an increasing threat to rural communities previously considered immune to issues associated with urban lifestyles. Urban gangs are better-organized and will continue to expand their criminal networks into new market areas in suburban and rural locations, either by absorbing unaffiliated local gangs, or by intimidation through the use of violence. In addition, they seek to increase their size by recruiting new members, typically from single parent, low-income households, and those who have limited education. Local gangs engage in a wide range of criminal activity, including retail-level drug distribution, burglary and assault. Neighborhood-based gangs account for the majority of gang activity in the United States consuming the resources of local law enforcement in communities; national gangs commit more organized criminal activity. Another regional trend reflected at the local level is the rise in female gang membership. Female involvement in gangs continues to increase and evolve as females assume greater responsibility in gang activities, and grow more independent from their male counterparts.

As gangs continue to expand and evolve from local or regional-level gangs to sophisticated national-level gangs, most will continue to foster relationships with wholesale-level drug traffickers in Mexico and/or Canada. Such relationships are more likely for Hispanic gangs operating along the U.S./Mexico border as these gang members often have personal and family ties in Mexico.

Napa County is Not Immune

In reviewing national and regional trends, it is evident Napa County is no longer immune to the migration of Hispanic gangs that launched into full-scale migration in the 1990's. Although it is difficult to determine if there is a direct correlation, it may not be a coincidence that issues facing Napa County are commensurate with these trends. This was evidenced between 1994-98 when Napa experienced an outbreak in gang violence resulting in thirty-nine gang related shootings, stabbings and assaults and eleven people being shot in Napa County. Since the early 1990s, Napa County's street gangs have morphed into small-

scale criminal enterprises. For now, Napa County gangs appear much less involved in the drug trade than those in other metropolitan areas.

As a result, the Napa County District Attorney's office spearheaded a collaborative effort with law enforcement, school administration, probation, interested citizens and community organizations who meet regularly to address the issue, exchange information and develop a coordinated response. In 2001 the Napa County District Attorney's office received a Gang Violence Suppression Multi-Component Program Grant of \$431,000 for three years, to augment its efforts and to develop intervention and prevention outreach. The effect of the aggressive suppression effort was a 28 percent increase in gang prosecutions, (402 prosecutions) and a temporary respite in gang activity. As a result of successful enforcement and prosecution, local governments have deemphasized the issue. Grant funding for gang suppression programs expires June 2010 and supplemental local funding to continue programs afforded by the Grant, are not being considered.

Gang members who are stopped by police or those who are apprehended are entered into the County's Cal Gang database that tracks persons identified as gang members. In 2004, 433 individuals had been identified with gang affiliations. In 2007, 650 gang members were registered in Napa County's Cal Gang, increasing to over 800 in 2008. This is more than double that reported by Marin County which has a slightly larger general population. For every gang member identified by law enforcement there are two to four gang affiliated individuals. In Napa County approximately 50 percent of jail population, 30 percent of juvenile hall population and approximately 10 percent of school population is gang affiliated. Some gang-related crimes are unreported and unpunished because of the victims' fear of revenge and the lack of cooperative witnesses.

Gang crimes and activity are difficult to track county-wide. Police departments in Napa County use different data systems that are not compatible; for example, Calistoga uses the California Response Information Management System (RIMS); Napa and American Canyon use Integraph® Records Management System (I/LEADS). Napa County uses Criminal Justice Information Management System (CJMGMS). Furthermore, these systems are not integrated with regional databases. It is incumbent on the police officer or investigator on duty to relay information via e-mail or fax to other county agencies in regards to gang activities and crime. Information is also exchanged at weekly meetings, but not all enforcement agencies attend on a regular basis.

Without exception, every person interviewed by the Grand Jury stated the level of violence has increased, particularly when gangs seek retaliation against rivals. Although the number of gang incidents has decreased, gangs are increasingly arming themselves with knives and guns. In addition, gang membership has increased. Not only are members getting bolder, they are also getting younger. Gang recruitment has achieved success in growing its membership and aggressively recruiting younger members at the middle schools. The most frightening trend is younger members demonstrating a higher level of violence and aggression as they attempt to prove themselves to older gang members. Gang leaders use female and younger recruits to commit crimes, especially if the gang leader already has a

criminal record, because the legal punishment for a younger gang member without a record is less severe.

Another emerging trend is the recruitment of younger siblings of gang members. It is not uncommon that gangs are multi-generational with some families having a grandparent, parent and siblings in a gang. Some teens are driven to gangs for economic reasons or a sense their options in life are limited. For the youthful gang member, the gang itself becomes an extended family whereby the youth acquires identity and status based upon their participation in gang normative behaviors. Because of this, convincing them to leave gangs is a formidable task.

The fiscal impact of gangs in the Napa Community is substantial. This includes the cost of enforcement assignments to gang units, allocation of the District Attorney's resources to prosecution, SROs in public schools assigned to monitor gang activity, Juvenile Hall, County Jail, the running of the Chamberlain, Liberty and Valley Oak alternative schools.

The greatest direct impact of this trend is on the Hispanic community. There is an alarming trend of illiteracy and truancy particularly in Hispanic families where gang involvement is generational. Poor English language skills and illiteracy which lead to low graduation rates are symptoms of youth involved in gangs. Reducing gang affiliations and attaining economic parity can be achieved by a commitment to education endorsed by the family and the Hispanic community. Should recent graduation trends not be reversed, a generation of under-educated and under-skilled citizens who will be ill equipped to sustain themselves will become a burden on resources and law enforcement as these children reach adulthood. Leadership in the Hispanic community has been slow to react to these alarming trends. Collaboration and communication with law enforcement and school administrators is essential.

Threat From Surrounding Areas

Gangs know no boundaries. Although most of Napa County's gang activity occurs in the City of Napa, the growth of gangs pervades our smaller communities. Gangs today draw members from all races, classes, and ethnic groups. Approximately 40 percent of Norteños are non-Hispanic, which means communities that once felt immune to gang activity due to geographic location or demographics, are now having to address the problem. This is especially true for schools, which have increasingly felt the need to reduce and prevent gang activity.

Sonoma County has a population of 467,000. MAGNET, Sonoma County's anti-gang agency, reports 3,200 gang members representing thirty-two gangs. Despite the Sonoma team's best efforts, the County's gang-related crime has gotten worse in the last decade. Sizeable Norteños and Sureños populations are entrenched in Lake County. Calistoga, St. Helena and Howell Mountain are in the path of back-and-forth traffic between rival gangs in these Counties. According to some officials, this drug corridor of north Napa County is recognized as a route for transportation of drugs and guns.

American Canyon is impacted by the burgeoning gang activity of Vallejo and Fairfield. Members of Oakland gangs have also been identified traveling through American Canyon. The reduction of police officers and elimination of SROs on school campuses in Vallejo due to financial constraints has left gangs literally unrestrained in their activities. In 2010, American Canyon will open a new high school near the American Canyon-Vallejo border. Students there will be even more vulnerable to the influence of Vallejo gangs.

Not all gangs in Napa County are Latino, although Napa County's focus is on the Sureños and Norteños. Most notably there are white racist groups like the Nazi Low Riders, Hell's Angels and the Peckerwoods who operate mostly in north Napa County and Lake County areas. Other gangs, identified in much smaller numbers, include the Insane Clown Posse, Mongols, Jugelets and Rockers. Members of Crips and Bloods have been identified in Napa County public schools. County officials believe their presence is attributed to youth from Vallejo attending schools in the NVUSD by circumventing residency requirements.

Given the sheer dominance and number of gangs in Sonoma and Solano counties coupled with Napa County's growing gang population, it is unclear if these agencies will be able to continue the current level of containment. Officers deployed to engage gang members do not receive sufficient support from senior enforcement officials and elected officials. Some are reluctant to discuss known gang activity or to initiate aggressive intervention in fear of reprisal from superiors, the community or elected officials. Napa County citizens need to increase the current level of resources and provide governmental and community support.

Gang Presence in Schools

There is evidence of gang influences on every middle school and every high school, and some elementary schools, in Napa County. It was reported to the Grand Jury that on-campus arrests have increased and violence on middle school campuses has intensified. Gang recruitment has been witnessed in middle school and high school parking lots. Efforts to prevent the impact of gangs on school campuses are insufficient and schools alone cannot address the issue. Teachers cannot be miracle workers – educator, coach, tutor, police officer, mentor and parent. The teacher's primary task is to educate youth, not police them. Perhaps it is the daunting challenge of the issue that keeps parents and the community from getting involved. Regardless, failure to provide adequate support for youth is detrimental to a school's success.

Gang activity at schools is rising, in part, because gangs are using middle schools and high schools as venues for recruitment and some drug distribution. Napa County gang issues reflect regional trends whereby gang migration from urban areas has led to the recruitment of new, younger gang members in many rural communities.

According to the most recent biennial School Crime Supplement to the Bureau of Justice Statistics (BJS) National Crime Victimization Survey, Law enforcement agencies report that gangs are directing their younger recruits who have dropped out of school to re-enroll, primarily to recruit new members and sell drugs. During the 2007-08 school year, of the 2,194 suspension and expulsions reported by Napa County schools, 1,104 were due to

violence or drugs. Although the number of suspensions has not increased in three years, there has been an increase in the number of those related to violence and drugs.

In lieu of strong community outcry and with declining financial resources, effective options utilized by other counties may be considered. These options include the presence of SROs, strict dress code policies, more stringent truancy policies and the use of civil gang injunctions.

Members of the Grand Jury accompanied SROs stationed on school campuses and observed active gang presence. Students and administrators acknowledge the designated territories for Norteño and Sureño gangs. One SRO said: "All we are doing is containing the problem. We are not stopping it. We need more help." SROs are essential to monitoring and containing gang activity on campuses. They are present in all NVUSD middle schools and high schools. SROs are well informed of school gang activity because they are physically present on the school grounds and have integrated into the school culture offering an invaluable service in terms of intervention.

With the exception of NVUSD, Napa County school districts do not employ full-time SROs. Pope Valley and Howell Mountain are too small to justify the expenditure, therefore rely on Sheriff Department services when needed. The Calistoga Police Department acknowledges the need for an SRO given the increase in youth gang activity. Calistoga police officers visit schools on a regular basis and provide services when time permits. However, St. Helena recently eliminated funding for an SRO.

Law enforcement and school officials are anticipating an increase in gang activity as approximately 800 youth, who were previously attending schools in Napa will now be schooled at the new American Canyon High School situated near the Solano County border. The Grand Jury learned that NVUSD is taking steps to hire and train a SRO to be in place when the new school opens.

According to NVUSD School Board Policy 5136, "...Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources." It further states, "...If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian." This policy is not consistently enforced. Some SROs provide information to school staff when time permits. Gang information meetings are not mandatory for teachers and administrators. When a student is identified as being affiliated with a gang or having conducted gang activity on campus, the student is required to sign a Color Contract which requires the student to adhere to a specific dress and behavior code. If the Color Contract is violated, the student may be expelled. A parent/guardian is contacted only if a staff member or the SRO has time. School counselors assigned to students, have little time to deal with disciplinary issues, and therefore there are negligible consequences for students at risk of joining gangs.

Since the Grand Jury began its investigation, the Color Contracts have been standardized and will be issued District-wide in NVUSD. Furthermore, the Contract has been modified to require a parent/guardian signature and commits the student as well as the parent/guardian to

participate in a gang intervention program offered by a local non-profit agency. This is essential, as gang issues are not routinely a part of parent group curriculum, and parents may not recognize gang behavior.

Many County youth professionals agree there is a direct correlation between truancy and gang involvement. Academics cease to be important when a student decides to join a gang. Addressing gang behavior in elementary school is crucial to preventing gang involvement in middle school and high school. If there is a gang presence in elementary and middle school, aggressive behavior or delayed learning can become more ingrained.

Once a school identifies a truant, notices are sent to parents, often with little results. Truancy requires immediate follow-up with parents and direct intervention with the student. However, most schools are not staffed to conduct follow-up. Frequently, it is not until the situation reaches a crisis level and the student is on the verge of expulsion the court and other agencies intervene. Gang involvement, family dysfunction and drug use combine to create school attendance problems. It is important to recognize the early signs of trouble and to develop proactive interventions.

A National Center for School Engagement report, suggests the following:

School attendance personnel need to examine the way attendance is tracked and monitored in order to have an accurate count of days or classes missed.

Social workers need to follow up with students who are just beginning to skip school as well as those with an excessive number of absences. The longer truancy is not addressed, the more problematic it becomes for both the school and the student. There are many reasons for truancy, and they need to be explored and assessed in order to determine what methods will be effective in re-engaging students.

School administrators need to ensure there is a mechanism to help students who need differentiated services no matter how severe their attendance problems. Although gang members create the conditions that cause schools to push them out, alternative educational options need to be available for them.

Police should be visible and bring truants back to school. Officers can either dedicate time during the day, or funds can be dedicated for over-time pay, to make home visits to provide warnings and serve citations to parents of truants.

The court can provide creative sanctions, instead of just imposing fines. Many families of truants have issues that have gone unaddressed for long periods of time. The leverage of a judge can help get these families appropriate services.

All stakeholders can work cooperatively to launch truancy awareness campaigns that involve distributing literature and prominently posting truancy and curfew laws. Taking the time to educate students, families, and communities about truancy laws is very important to increasing school attendance.

Business owners must ensure they do not serve or employ school-aged youth during the school day.

Gang Clothing

Gangs have uniforms. Clothing is an introductory method of gang recruitment. There is pressure on students to dress like a particular gang for protection from another gang. The way they display their colors is important. Schools have banned their students from wearing bandanas, baggy pants, and certain colors at school.

Many schools in Napa County have become fertile recruiting grounds for street gangs. To address this issue, some schools in other areas are adopting stricter dress codes (including the prohibition of red or blue shirts and the wearing of hats that do not contain school logos) and uniform requirements to reduce distractions and violence. There appears to be a correlation between appropriate dress and academic performance which equates to a reduction of gang activity. Schools with uniforms report less violence and gang activity. School uniforms cannot solve the County's problems of gang violence, but the wearing of uniforms has been reported to reduce gang activity and promote an environment that is more conducive to teaching and learning.

Many Napa County middle schools and high schools have a dress code that prohibits the wearing of gang colors. Each school implements its own policy as there are no District-wide policies enforced other than loose guidelines stated in School Board Policies. During the Grand Jury school visits members observed students wearing gang colors and hanging out in on-campus gang appropriated areas. In one middle school in Napa County, there was a noticeable increase in gang-related behaviors when school dress codes were eased.

Alternative Education

Napa County Office of Education (NCOE) provides educational services to all Napa County students who are suspended, expelled or serving time in Juvenile Hall. It costs county residents approximately 30 percent more to educate a child at NCOE versus a mainstream public school. NCOE oversees one high school, two middle schools and a classroom at the Wolfe Center and at Juvenile Hall, some of which are equipped with metal detectors and cameras. At their campus on Imola Avenue in Napa, the NCOE maintains a full time SRO and two probation officers. In addition, NCOE employs a Gang Violence Suppression professional, who conducts informational meetings with students, parents and school staff at the County's public schools. The position is underwritten by the GVS grant awarded the DA's office and set to expire June 2010. Of the approximately 200 students currently enrolled with NCOE, approximately 61 percent are affiliated with gangs, 71 percent are on

judicial or educational probation. In the past year, there were 201 aggressive incidents on campus of which, forty-five were gang related.

For many of these youths, NCOE is the last chance. Prior to budget cuts, NCOE appeared to be making inroads, motivating students to pursue alternative lifestyles by offering vocational training and work internships. The emphasis of these programs was to create self-esteem, provide hope, and give students a clear option to their current situation. NCOE reports that test scores and graduation rates are higher than NVUSD.

State cutbacks have left many schools, including NCOE, searching for adequate resources. There has been discussion of reducing the number of NCOE schools and returning students to their respective schools, a proposal which causes great concern for Napa County public schools. The Carey Group, a consulting firm, was retained by the County to provide programmatic solutions to the Napa County Department of Corrections to reduce recidivism and impact crime rates. According to research, a person must be in a controlled environment in order to affect behavioral changes. Effective gang rehabilitation programs are almost non-existent in addition to being cost prohibitive and ineffective for adult gang members. It has been established that juveniles are much more malleable and responsive to interventions. However, outcomes are dependent on providing a controlled environment which public schools cannot provide. To allow students with a history of violent behavior into a public school environment in hopes of saving money is contrary to the course of action currently being championed by the County.

Gang Violence Reduction Strategies

Given the challenges posed by a burgeoning gang problem in California, state and federal agencies and private institutions have compiled enormous research that sheds light on effective and balanced responses used by other cities to minimize the impact of gangs.

A comprehensive local strategy to gangs must include the application of prevention, intervention and suppression. Government and law enforcement cannot be the sole responders confronting the gang issue. It will take a collaboration of stakeholders such as social services, schools, business and community leaders, youth organizations, private citizens, law enforcement, and criminal justice to come together to make an impact on gangs. Parents need to be actively aware their children are at risk and must proactively connect with others to offer positive adult relationships. In addition, the community desperately needs the engagement of Hispanic leadership. Because of cross-cultural issues, many parents in the Hispanic community do not know how to work within today's educational and social systems and therefore are often unable to help their children make positive choices.

A task force is an example of maximizing interagency and cross-system collaboration. Solano County's Sheriff's Office and local law enforcement have joined forces with the Federal Bureau of Investigation (FBI) to implement a Safe Streets Criminal Gang Enforcement Task Force. Supporting equipment and overtime funding provided by the FBI, as well as \$300,000 in additional funding provided by the Solano County Board of Supervisors. Each member agency provides a dedicated officer to work on the task force to gather intelligence, identify gang activity, identify gang members and ultimately interfere

with the gang's ability to operate. Members of the task force are deputized as United States Marshals providing them the authority to charge violations of federal statutes in a Federal Court. The Safe Streets program demonstrates how coalescing local and federal agencies and resources can support safe communities.

As gang violence escalates, state and local budget cutbacks have left many law enforcement agencies scraping for adequate resources. Santa Rosa, with a population just over 150,000, recently approved Measure O, a quarter-cent sales tax increase that helps fund public safety programs including a gang task force. Its Gang Prevention Task Force, appointed and chaired by the Mayor, mobilizes and aligns community resources with a strategy that balances prevention, intervention, and enforcement. After six months of operation, the Mayor's office provided affirmation of the Task Force's progress in a report stating 88 percent of grantees (agencies targeting youth development) met or exceeded performance goals resulting in positive changes in behavior and skills of children.

Napa County already has a task force model in place – the Narcotic Special Investigation Bureau (NSIB). It is a multijurisdictional task force targeting narcotics, production, sales and crime. NSIB partners with the Department of Justice, and law enforcement representing the county and local jurisdictions; it can seize assets of violators and its strike team provides quick, coordinated response to high-threat situations. Funding and resources are provided by Federal, state and local agencies.

Injunctions can provide local jurisdictions power to keep gangs from gathering and holding meetings. Used in several counties in California, injunctions are described by law enforcement as civil suits that seek a court order declaring the gang's public behavior a nuisance in order to ask for limitations on their activity. They establish curfews and block members from wearing gang apparel and flashing gang signs in designated safety zones. Local agencies interviewed, suggested curfew as a law enforcement tool option to disrupt gang gatherings. Curfew is a city ordinance determined by local jurisdictions.

In a study examining how civil gang injunctions affect community members, researchers at University of California Irvine (UCI) and the University of Southern California have found these injunctions provide short-term benefits, such as reducing residents' fear of run-ins with gang members. The consistently positive short-term outcomes indicate that injunctions are a promising strategy," according to Cheryl Maxson, the lead author of the study and a professor of criminology, law and society at UCI. "Injunctions crack the window of opportunity for change, but for enduring community improvements, we need not just a stick but a carrot -- such as opportunity for vocational, educational or personal growth among gang members."

Key to effective intervention is to keep students in school. Many experts believe truancy is a gateway to juvenile crime and should be aggressively addressed in elementary and middle school. Penal Code 272 –contributing to the delinquency of a minor, allows for parents to be jailed and/or fined for not responding to truancy issues. In high school, courts can withhold drivers licenses and work permits, issue fines and order community service. A judge can even order parents to sit with their students in school. Parents can also be mandated to attend

gang awareness classes. These forms of punishment are rarely imposed – often viewed as heavy handed. Many interviewed by the Grand Jury, stated that lack of parent awareness and involvement was a major contributor to gang involvement. Desperate to elicit the parents’ attention, they claim that harsh measures are necessary. It was also suggested that parents be fined \$34 a day for truant students (the amount the state allocates to school per day per student).

Youth with repeated delinquent behavior find themselves in court, often before various judges depending on the nature of the crime or infraction. Creating a consolidated court – where a juvenile is assigned one judge – would provide the judge a broader awareness of the issues specific to the youth and allow for more relevant findings and recommendations. Currently in Napa County, a drug court operates in such a manner. A defendant is assigned a judge who meets with the defendant and other professionals regularly to determine the best course of action to induce rehabilitation.

The consensus among people involved in dealing with gang related behaviors, including the law enforcement, community leaders and educators is that something needs to be done to prevent youth from joining gangs early in their lives. As a consequence of this idea, many espouse the notion that if a community can collectively intervene through preventive measures with a focus on youth, there is, over a longitudinal time frame, an increased likelihood of preventing gang affiliation and activities.

In order to take action with respect to educating youth about gang behaviors, it is important to understand some of the predictors of children joining a gang. Understanding these predictors permits the development of specific social educational programs that target and modify undesirable behaviors. Evidence Based Practices (EBP) is a concept that draws upon scientific research to create social programs that change human behavior.

As previously discussed, there is evidence that children are being recruited to join gangs and in order to be accepted into their new peer group, they must demonstrate violent or self destructive behaviors. The issue of youth violence is of considerable importance as a possible predictor of gang membership and gives reason to consider the antecedents of children joining gangs. If children are predisposed behaviorally to violence then there may be a greater possibility they will join a gang at an early age. However, if that alleged predisposition is eliminated through careful, thoughtful, and targeted behavioral programming, the possible result is that children will not aspire to gang membership.

Prediction of Youth Violence

Youth gang behavior is associated with violence, truancy, poor performance in school, and drug usage. Precursors of gang membership will involve a youth developing these behavior patterns either before, or concurrent with, participation in such organizations.

In April of 2000, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the United States Department of Justice released a bulletin that summarized the research of a twenty-two member distinguished panel. Over a two-year span the panel conducted a review of various longitudinal studies synthesizing the results employing a meta-analysis procedure.

The panel, or OJJDP study group, examined sixty-six studies and used sophisticated statistical analytical methods to arrive at its conclusions. (See Appendix A)

In reference to the five domains and their individual risk factors set forth in the Appendix, the report indicated:

...the larger the number of risk factors to which an individual is exposed, the greater the probability the individual will engage in violent behavior. Multi-component interventions targeting identification of shared predictors and constellations of risk factors may be more effective in preventing violence than those that target single risk factors.

Two of the researchers, Mark W. Lipsey and James H. Derzon, revealed the strongest predictor of violent or serious delinquency is the commission of a juvenile offense between the ages of 6 – 11. Furthermore, concurrent substance abuse is the best predictor of future violence for this age group. For the age group 12 – 14 the two strongest predictors of future violence is the lack of social ties and involvement with antisocial peers such as found in gangs. Regarding secondary factors, the researchers stated that for the first group, ages 6 – 11, fixed personal characteristics were the strongest predictors of subsequent youth violence; for the 12 – 14 age group, the predictors were more general offenses such as aggression, and poor school performance. It was also noted that broken homes and abusive parents were not predictors of subsequent violence for either age group.

A concluding comment of these researchers was:

Because many of the strongest predictors of subsequent violence can be changed, they offer possible targets for successful intervention. This suggests that disrupting early patterns of antisocial behavior and negative peer support is a promising strategy for the prevention of violence and serious delinquency.

There is no proven gang prevention EBP treatment. However, there is a better return on investment for modifying behavior of juveniles versus adults. Juveniles are more malleable; therefore it takes less money and less time to reform their behavior. According to a Washington State Institute Cost/Benefit Study, over the long term, the savings in prosecution, enforcement and detention is \$10 for every \$1 spent on prevention and \$4 of savings for every \$1 spent on intervention.

It is not enough for law enforcement be the sole responder to these issues. There is a community need to collaborate with schools, youth organizations, and non-profit agencies who are advocates for this at-risk population.

COMMENDATIONS

1. The Napa County District Attorney's Office and American Canyon, Napa, St. Helena and Calistoga police officers, Napa County Sheriff's deputies, SRO's and Juvenile Probation officers for their commitment and effective policing and prosecuting of gangs and gang activity.

2. Napa County District Attorney's Office and local law enforcement's collaboration and effort to curtail gangs from surrounding areas, such as Vallejo, Fairfield, parts of Sonoma and Lake Counties, from engaging in criminal activity in Napa County.
3. The SROs assigned to public schools for effectively containing and monitoring gangs and gang activity. The grand jury found them to be well informed and trained about on-campus activity and gang behavior. They are engaged with students and are a valuable resource for teachers and staff.
4. The NVUSD for issuing and standardizing a District-wide Color Contract Policy, which requires a parent/guardian signature and commits the student and parent/guardian to participate in gang awareness programs.

FINDINGS

The 2008-2009 Grand Jury finds:

1. Two Hispanic gangs are most prominent in Napa County: the Norteños and Sureños.
2. Gang membership, use of weapons and the level of violence have increased, and frequency of violence has decreased in Napa County.
3. Currently, loosely formed group of law enforcement representatives, the DA's office and some members of the community meet to discuss gang issues and exchange information. There is no paid staff or capacity to implement or fund programs or policies. The supporting GVS grant expires June 2010.
4. Approximately 50 percent of Napa County Jail inmates, 30 percent of Napa County Juvenile Hall inmates and 10 percent of the school population are gang affiliated.
5. It is estimated there are over 850 gang members and approximately 3,000 gang affiliated individuals in Napa County.
6. The fiscal impact of gangs in Napa County is substantial. This includes the cost of law enforcement, probation and District Attorneys assigned to gang units, SROs, Napa County Juvenile Hall, Napa County Jail and the operation of alternative schools.
7. Other gangs have been identified in much smaller numbers in Napa County, including the Rockers, Insane Clown Posse and Hell's Angels, Mongols, Jugelets.
8. There is evidence of gang influence in every middle school and high school campus in Napa County, and some elementary schools.
9. SROs are essential to monitoring campus gang activity, providing campus security as well as crucial information and education.
10. NVUSD high schools use Color Contracts to monitor individual gang members.

11. Due to budget constraints, Calistoga and St. Helena currently do not provide SRO's on middle school or high school campuses. Napa provides one SRO to cover three middle school campuses.
12. Dress codes for Napa County schools are determined by each school. Several schools prohibit the wearing of gang colors and memorabilia; however, in many schools these prohibitions are not strictly enforced.
13. Law enforcement officers on the front lines, who deal directly with gang members, do not receive the governmental or financial support necessary from senior enforcement officials and elected officials. Some are reluctant to discuss known gang activity or aggressively intervene in fear of reprisal from superiors, community or elected leaders.
14. There have been instances of students with gang affiliations, from Vallejo, circumventing NVUSD residency requirements and enrolling in Napa schools.
15. Napa County public schools do not mandate that teachers, students or parents attend gang information meetings/training.
16. County and city databases used by law enforcement do not interface.
17. The county and several non-government agencies offer prevention and intervention programs for youth at risk of becoming gang members. However, there is little or no collaboration between the various agencies, schools and law enforcement.
18. Currently NCOE provides education services to all Napa County students who are on academic or judicial probation.
19. Napa public schools are allocated \$34 per day per student by the State of California.
20. Curfews and injunctions are enforcement tools used by other counties to contain gang violence

RECOMMENDATIONS

The 2008-2009 Grand Jury recommends:

1. Establishment of a new County-wide multijurisdictional gang task force with a full-time coordinator, strike team and representatives from local and regional law enforcement jurisdictions, prevention, intervention agencies, school administrations and the community.
2. Implementation of county-wide gang database and tracking system accessible by all law enforcement agencies and school officials
3. Identification of funding sources to continue programs created under the GVS grant.
4. Formalization of processes for providing gang information to parents, students and school administrators.
5. Retain SRO's on campuses, as a preventive measure and to provide education to staff, and parent.

6. Consideration of County-wide curfew for those under the age of eighteen as a law enforcement tool.
7. Consideration of the use of injunctions as a law enforcement tool against gang members.
8. Consideration of \$34 per day fines, the state allocated daily allowance per student provided to public school districts, after non-response to truancy notification.
9. Consideration of stricter dress codes or school uniforms on public school campuses.

REQUEST FOR RESPONSES

The 2008-2009 Grand Jury requests the following responses:

The Napa County Board of Supervisors, recommendations 1, 2, 3, 5, 6, 7

The Napa Valley Unified School District, St. Helena School District and Calistoga School District recommendations 4, 5, 8, 9

The Napa County District Attorney's Office, Police Departments for the Cities of American Canyon, Napa, St. Helena and Calistoga, Town of Yountville and the Napa County Sheriff's Department, recommendations 1, 2, 6, 7

GLOSSARY

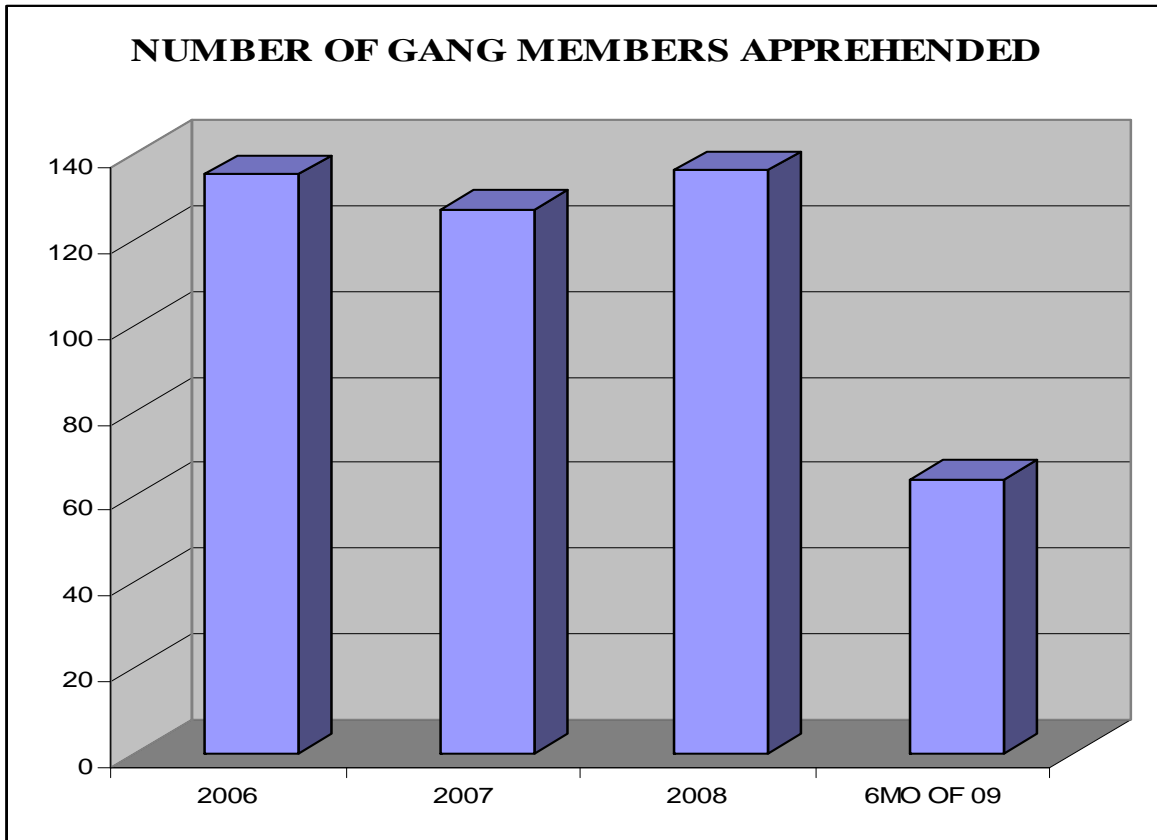
AIAppreciative Inquiry
BJSBureau of Justice Statistics
DA.....District Attorney
CJMGMSCriminal Justice Information Management System
EBPEvidence Based Practices
FBIFederal Bureau of Investigation
I/LEADSIntegraph® Records Management System
NCOE.....Napa County Office of Education
NVUSD.....Napa Valley Unified School District
OJJDPOffice of Juvenile Justice and Delinquency Prevention
RIMSCalifornia Response Information Management System
SRO.....School Resource Officer
UCI.....University of California Irvine
NSIB..... Narcotics Special Investigation Bureau

APPENDIX NAPA VALLEY GANGS

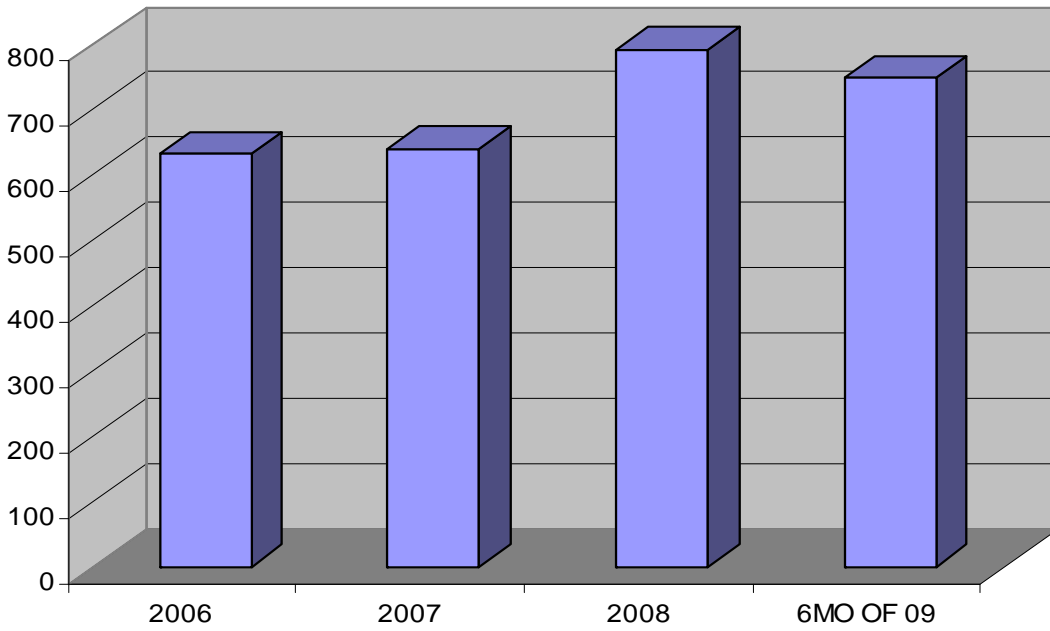
The OJJDP study group identified the following five domains and their individual risk factors as predictors of youth violence:

1. Individual factors:
 - a. Pregnancy and delivery complications
 - b. Low resting heart rate
 - c. Internalizing disorders
 - d. Hyperactivity, concentration problems, restlessness, and risk taking
 - e. Aggressiveness
 - f. Early initiation of violent behavior
 - g. Involvement in other forms of antisocial behavior
 - h. Beliefs and attitudes favorable to deviant or antisocial behavior
2. Family factors:
 - a. Parental criminality
 - b. Child maltreatment
 - c. Poor family management practices
 - d. Low levels of parental involvement
 - e. Poor family bonding and family conflict
 - f. Parental attitudes favorable to substance use and violence
 - g. Parent-child separation
3. School factors:
 - a. Academic failure
 - b. Low bonding to school
 - c. Truancy and dropping out of school
 - d. Frequent school transitions
4. Peer-related factors:
 - a. Delinquent siblings
 - b. Delinquent peers
 - c. Gang membership
5. Community and neighborhood factors:
 - a. Poverty
 - b. Community disorganization
 - c. Availability of drugs and firearms
 - d. Neighborhood adults involved in crime
 - e. Exposure to violence and racial prejudice

APPREHENSION AND CRIME ANALYSIS FOR NAPA COUNTY



VALIDATED GANG MEMBERS



REPORTED AS GANG RELATED CRIME

