

OFFICE OF OPERATIONS

OPERATIONS ORDER NO. 3

August 2, 2012

**SUBJECT: MODIFICATION OF ENFORCEMENT OF FOUR PROVISIONS
 CONTAINED IN PERMANENT CIVIL GANG INJUNCTIONS**

PURPOSE: Currently there are 45 permanent Civil Gang Injunctions (CGIs) in effect within the City. Each CGI was designed to address the unique facts and problems caused by the targeted criminal street gang. As a result, the gang provisions contained in the CGIs were necessarily varied and different. This Order establishes protocols to ensure that CGIs are implemented uniformly, equitably, and in accordance with changes in the law.

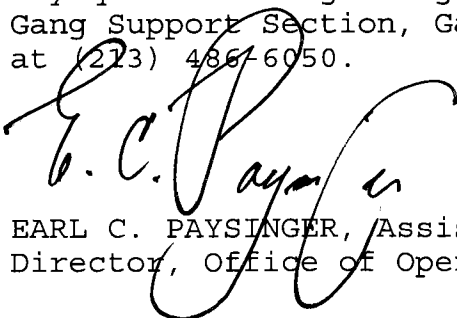
PROCEDURE: Recent appellate court decisions have found some aspects of the enforcement of certain CGI provisions to be unconstitutional. Violations of the following CGI provisions must not be used as reasonable suspicion or probable cause to detain or arrest an enjoined gang member:

- * The "Obey Curfew" provision;
- * The "Stay Away from Alcohol" provision;
- * The "Stay Away from Drugs" provision; and,
- * The "Obey All Laws" provision.

Exceptions: The "Stay Away from Alcohol" provision may be enforced only when a properly served gang member is in physical possession of an alcoholic beverage in public. The "Stay Away from Drugs" provision may be enforced only when a properly served gang member is in physical possession of either a controlled substance without a valid medical prescription or marijuana without a physician's recommendation.

Officers must use violations of other CGI provisions and/or existing laws as reasonable suspicion or probable cause to detain or arrest an enjoined gang member.

Any questions regarding this Order should be directed to Gang Support Section, Gang and Narcotics Division, at (213) 486-6050.


EARL C. PAYSINGER, Assistant Chief
Director, Office of Operations

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