

OPINION

Mac Tully Publisher
 Kevin G. Keane Vice President, News
 Dan Hatfield Editorial Page Director
 Pete Wevurski Managing Editor BANG-EB
 Martin G. Reynolds Editor
 Contacting us: Editorial director
 925.977.8430 Fax: 925.943.8362 dhatfield@bayarean

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Davis wrong about facts of gang injunctions

MUCH OF Angela Davis' March 4 My Word, "Oakland residents must stop the gang injunctions," about Oakland's anti-gang injunction policy is based on misinformation and an outdated ideology that allows no role for law enforcement in solving the serious problems we face in our city.

Davis writes: "For those who ... simply live in the injunction zones, these injunctions transform the acts of approaching a vehicle, or communicating with a neighbor, into criminal acts."

It's a shocking claim, but categorically false. It's also easily discredited by a quick read of the nine-page proposed injunction order on the city attorney's Web site (www.oaklandcityattorney.org).

On March 3, Davis and other adults used this type of fearmongering to scare and anger a large group of high school students rallying at City Hall. They told the students that Oakland's civil gang injunctions will suspend probable cause, legalize racial profiling, divert money away from schools, and as Davis wrote, "transform everyday actions into arrestable and punishable offenses" for anyone in designated areas.

Of course, Oakland's injunctions don't do any of those things. If they did, I would be the first to protest.

In Oakland, civil gang injunctions don't give police

JOHN RUSSO

My Word

any extraordinary power. They don't suspend our legal protections, including those against racial profiling. And the police cannot simply apply them to anyone living in certain neighborhoods, as Davis falsely claims.

In reality, Oakland's gang injunctions are narrowly tailored restraining orders against specific adults who are proven in court to be part of a criminal enterprise. The city's first injunction in North Oakland only applies to 15 gang members based on their convictions for crimes, including armed robbery, carjacking, carrying guns, drug dealing and domestic battery. In the Fruitvale district, the order would apply to 40 men based largely on arrests and convictions for similar crimes.

In a specified area, enjoined gang members are restricted from carrying guns and threatening witnesses. They cannot associate in public or be on the street between 10 p.m. and 5 a.m., with exceptions for things such as work and social services. Defendants have the right to "opt-out," if they are no longer in the gang.

Davis also mistakenly claims that injunctions "divert" money away from other services. The amount spent on injunctions so far — slightly more than \$100,000 — comes from the city attorney's litigation budget, not from the budgets of any social or educational programs. This

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represents only a fraction of the money spent in Oakland on gang prevention programs, such as those funded by Measure Y.

Davis neglects to mention that the cost of investigating one homicide can outweigh the entire cost of an injunction case. If an injunction prevents one murder, it essentially pays for itself.

Of course, it would also mean one less human being on the list of homicide victims this year.

I agree with Davis that Oakland needs better intervention and more meaningful opportunities for young people. But we also need smart law enforcement. Chief Anthony Batts makes a powerful argument for using injunctions as one tool to focus on individuals responsible for a disproportionate amount of crime and violence in our city.

A "Radical Chic" 1960s ideology that sees police as the enemy of the people is not helpful to Oakland in 2011. Nor does it help for an academic of Davis' standing to lecture Oakland students without first doing her own homework.

John Russo is Oakland's elected city attorney.

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