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# Arizona Criminal Justice Commission

1998-1999

Street Gangs  
in Arizona

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# Executive Summary

## Introduction

Since 1990, pursuant to Arizona Revised Statute (A.R.S.) §41-2405.12, the Arizona Criminal Justice Commission has been conducting a survey of the state's various criminal justice agencies to assess the status of street gangs and street gang-related crime. The purpose of this report is to detail the findings of the 1998-1999 survey results.

During the 1994 session, the Arizona State Legislature passed several street gang-related definitions and sentencing provisions. Included in these definitions are seven criteria that constitute formal Gang Member Identification Criteria (GMIC), which were originally developed by the Arizona Department of Public Safety (DPS) to determine gang membership. New sentencing provisions for defined street gang members increased the presumptive, minimum and maximum sentence for offenses by three years in addition to any other applicable enhanced sentences. This report focuses on the impact of these statutes on gang membership in Arizona from four perspectives: law enforcement, prosecution, probation and corrections.

This report measures the prevalence of gang activity in the state in accordance with A.R.S. §41-2416. Street gang information was gathered in several ways. First, Arizona Criminal Justice Commission staff administered four separate questionnaires: one each to law enforcement, prosecution, probation and correction agencies. All federal, state, county and local agencies in Arizona that fell into one of these categories were asked for their views through these surveys. Second, separate interviews were conducted with officers/deputies from the Arizona Department of Public Safety's Gang Intelligence and Team Enforcement Mission (GITEM), the Apache County Sheriff's Office, the Gila River Tribal Police Department, the Arizona Department of Juvenile Corrections, and the Western Maricopa County Narcotics/Gang Task Force. Third, a questionnaire was administered to a sample of 9,093 public school students representative of the entire state to determine gang prevalence among this group.

This report describes the findings of these studies by first reviewing the survey results from the law enforcement, prosecution, probation and correctional agencies, from the group interviews, and concluding with the analysis of public school students.

## Law Enforcement Agencies

*Street Gangs in Arizona 1998-1999* includes the largest number of federal responses in the history of the survey, with eleven federal law enforcement agencies responding. Not all of these agencies collect their own information or intelligence on street gangs, but all report working with local and state agencies on the street gang problem in Arizona.

Even though Federal agencies do not compile their own statistics on gangs and gang members, they do utilize state information. The Arizona Department of Public Safety maintains a database that includes all gangs, gang members and gang activity, which is attained from state, county and local law enforcement agencies. According to the Arizona Department of Public Safety, the number of gangs has risen slightly from 691 in 1998 to 726 in 1999, but the total number of gang members in 1999 is less than in 1998 by a difference of 2,594 members<sup>1</sup>.

County and municipal agencies compile their own street gang statistics. Of the 15 county sheriff agencies, 12 responded to the 1999 street gang survey. Of the counties that responded, the number of gangs has more than doubled in the last two years from 73 gangs in 1998 to 174 in 1999. Seventy of the 81 responding municipal law enforcement agencies reported an increase of more than 3,000 gang members from 1998 to 1999, and the number of gangs doubled from 447 to 899.

It is hypothesized that with increases in population comes an increase of individuals who join gangs. At the 2000 National Gang Conference in Anaheim, California, it was reported that gang members comprise about one percent of a community's population. Therefore, theoretically

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<sup>1</sup> This may be due to fewer members claiming gang membership because of enhanced sentencing for documented gang members.

Arizona's total street gang population in 1999 should equal about 50,000 gang members<sup>2</sup>. However, the highest report of documented gang members by ACJC was 13,213 in 1998, only .27% of the total population. Arizona's gang population in the last ten years has not exceeded .3% of the total population.

The criminal activities gangs engage in range from homicide to liquor violations. Law enforcement officials reported that in 1998 and 1999 the most frequent activities gang members engaged in were aggravated assault, burglary/theft, criminal damage, and narcotic trafficking and/or sales.

Thirty-four percent of responding law enforcement agencies reported that the gangs in their area had some type of organization. When asked if the gangs demonstrated a hierarchical organization, 31% of agencies said there was evidence of organized leadership and almost an equal number reported that some of the activities gangs engaged in are organized. Descriptions of gang organizations, as explained by law enforcement, range from 'loose' to 'very structured'.

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<sup>2</sup> 1999 Department of Economic Security figures reported the state of Arizona total population as 4,924,350, so one percent would equal 49,244 gang members.



## **Prosecution Agencies**

Of the prosecution agencies responding to the 1999 street gang report, 16 reported collecting their own street gang information. Fifteen agencies received information from other criminal justice agencies, four received information from sources other than criminal justice agencies and six disseminated information to other criminal justice agencies. The number of prosecution agencies participating in gang task forces rose from eight agencies in 1998 to 12 in 1999.

The number of gang-related felonies dismissed against adults in the last two years has remained about the same with 36 in 1998 to 37 in 1999. The number of juvenile delinquency cases that negotiated a plea increased from zero in 1998 to 52 in 1999. In fact, the adjudication of juveniles has increased between 1998 and 1999, with more juveniles charged and sentenced to detention, probation or intensive probation in 1999 than in 1998. Bench dispositions for both felony and delinquency cases rose dramatically in the last two years. Felony cases went from zero to 38 and delinquency cases were at zero in 1998 and rose to 13 in 1999. The jump in juvenile delinquency cases may be the result of juvenile justice reform laws and the enhanced prosecution of gang members.

According to municipal and county prosecutors the most common misdemeanor charges and offenses brought against gang members in 1999 were assault, carrying a concealed weapon, criminal damage, disorderly conduct and threats/intimidation. Felony charges and offenses most commonly brought against gang members were aggravated assault, armed robbery, criminal damage, participating in a criminal street gang and auto/vehicle theft. Delinquency charges include assault, burglary, possession of marijuana, weapons offenses and vehicle theft.

## **Probation Agencies**

Probation agencies have a different perspective on street gangs in comparison to law enforcement agencies because in addition to enforcing court orders, probation officers are able to monitor gang members on a regular basis. A total of 22 supervising probation departments in Arizona responded to the 1999 street gang survey. In all, information was received from 13 of the 15 counties throughout the state, and the United States Federal Probation Department for the District of Arizona.

According to data received by these departments, the number of street gang members supervised on probation has increased more than seven times in the last five years, rising from 186 gang members in 1995 to 1,318 in 1999. The county probation departments reported that in 1998 and 1999, more juvenile gang members were supervised than adult gang members.

The 1999 Street Gang Survey of probation departments asked agencies to report the most common type of offense for which gang members are sentenced to probation. The most common offenses committed by street gang members on probation were aggravated assault, assault, criminal damage and various drug offenses ranging from possession to sales and manufacturing. The United States Federal Probation Department reported that gang members supervised on federal probation are convicted of crimes such as bank robbery and counterfeiting.

Probation departments generally believe that consistency in identification and reporting of gang members has improved in the last two years. In 1999, 65% of probation departments reported this consistency existed, which is up from 35% of the departments in 1998. The majority (80%) of Arizona county probation departments reported that current criminal statutes adequately address the street gang problem. They also believe that the Arizona gang problem is either currently under control or can be controlled with current resources.

## **Correctional Agencies**

Federal correctional populations differ from state correctional populations because of the difference in crimes prosecuted between the federal and state levels. Federal inmates tend to be convicted on "organized" types of crime, such as fraud and racketeering, while state inmates are most often convicted for acts of violence, such as murder and aggravated assault. Research thus far has shown that most street gangs are not involved in organized crime activity, but are involved in more violent acts of crime. Therefore, identified gang members are found more often in state correctional facilities.

In 1999, the Federal Correctional Institution reported 158 identified security threat group/street gang members housed within the Tucson facility. There is not a specialized unit dedicated to security threat groups/street gang issues at this time.

The Arizona Department of Corrections is the Arizona state-level agency created “[t]o serve and protect the people of Arizona by imprisoning those offenders legally committed to the Department and by providing community based supervision for those conditionally released”<sup>3</sup>. Upon entrance into the Arizona Department of Corrections, inmates are identified for tracking purposes in order to determine street gang membership, whether the inmates will become threats to institutional security, or likely to coalesce in a security threat group.

In 1999, the Arizona Department of Corrections used A.R.S. §13-105 and Corrections Department Order 806 to validate 422 gang members and suspect another 856 security threat group/street gang members for a total 1,278 documented members. A specialized unit consisting of one supervisor and five special investigators worked in the Security Threat Group Unit in 1999 to focus on this population.

Nationally, organized gang activity within the prison system is becoming more sophisticated than activity on the outside<sup>4</sup>. The Arizona Department of Corrections does experience “organized” activity among inmate gang members and other gang members (either inside or outside the facility). Types of organized activity include drug-related activity, extortion, assault and homicide.

Adult correctional facilities label prison gangs as ‘security threat groups’ because in a secured setting, for any extended length of time, gangs can pose a threat to the security of an institution. Juvenile correctional facilities, on the other hand, do not label street gang members as security threat groups because the length of stay in a juvenile correctional facility is usually only a few months, giving juveniles little opportunity to coalesce into security threat groups who pose a great threat to the institution.

The Arizona Department of Juvenile Corrections operates five facilities for youthful offenders. Every youth entering the Arizona Department of Juvenile Corrections has a full evaluation in the first 28 days. Individuals are identified according to A.R.S. §13-105 for gang membership, and if gang affiliation is determined, pictures are taken of any tattoos or identifying marks associated with the gang. Once street gang membership information is compiled, it is entered into a computerized system that tracks any future activity the individual is involved in during their stay at ADJC.

The names of every street gang and the number of members that claim to belong to the gang are tracked every month by the Arizona Department of Juvenile Corrections. In all, a total of 118 gangs were identified for a total of 221 gang members in 1999.

Almost half of the gang-related incidents reported are youth-on-youth assaults. In 1999 at Adobe Mountain, there were 249 youth-on-youth assaults and 44 staff assaults. ADJC reports having some organized gang activity, but the extent of this activity is unknown.

Correctional institutions and the gangs within these institutions vary by age and level of prosecution (state or federal). Juvenile institutions handle street gang members differently than adult institutions do because of the difference in incarceration time, and decreased tendency for juvenile gangs to become organized.

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<sup>3</sup> Mission statement of the Arizona Department of Corrections.

<sup>4</sup> FBI Law Enforcement Bulletin Violent Crimes among Juveniles. “Focus on Corrections, Correctional Criminal Investigators, The New Cops on the Beat”. June 2000.

## **Street Gang Task Forces**

Within the last twenty years, criminal justice agencies in Arizona have developed multi-agency, multi-jurisdictional task forces to combat drug, gang and violent crime issues across the state. Three criminal justice agencies are examined to show differences in the way task forces are developed and operate.

The Gang Intelligence and Team Enforcement Mission (GITEM), Arizona's statewide multi-agency task force, has two major missions: to impact gang related criminal activity wherever it occurs in Arizona, and to increase awareness and skill in dealing with and documenting the existence of gangs and their members throughout the state.

The primary goal of the Western Maricopa County Narcotics/Gang Task Force is to reduce gang involvement in criminal activities and reduce the sale, distribution and use of illegal drugs. Throughout its history, this task force has seen gang membership and gang-related activities change over the years. Within the last few years, the Task Force has reported that the identification of gang members has become increasingly difficult because gang members are less willing to display their membership due to the increased punishments associated with being identified.

Although Apache County is not densely populated, officers at the Apache County Sheriff's Office are deeply involved in statewide gang enforcement efforts. A county-level drug, gang and violent crime task force called ACCENT (Apache County Cooperative Enforcement Narcotics Team) has been in effect since 1988. ACCENT is a small, formally organized multi-jurisdictional, multi-agency narcotics task force comprised of local law enforcement officers who work in conjunction with a full-time drug case prosecutor. The goal of this Task Force is to identify, arrest and prosecute drug traffickers, and seize drugs and forfeitable assets.

Gangs in Apache County have not evolved in the same way that street gangs in Maricopa County have. Instead, the Apache County Sheriff's Office reports that most of the gangs in Apache County were developed through the relocation of some Chicago gang members, and therefore have been influenced by Chicago based gangs.

The two most prominent gangs in Apache County are called the Cobras and the Dragons, which are rival gangs. These gangs focus heavily on influencing and recruiting young members. These organizations are often successful because they provide a sense of belonging that some youth need in their lives and are actively seeking. Both gangs are based out of the Navajo Nation capitol of Window Rock.

Gang violence in Apache County is different from urban areas of Arizona. In Apache County, violent acts not involving a gun are often reported as gang-related activities, such as beating a person to death with a rock. Guns and weapons are making their way into Apache County, but non-traditional forms of assault are more prevalent at this time.

In 1998, the Gila River Police Department was established as an independent tribal law enforcement agency not affiliated with the Federal Bureau of Indian Affairs. At present, approximately 40 officers cover 600 square miles of reservation land. The Gila River Police Department has recognized the beginnings of a gang problem and to be proactive began working to revise the nation's children's code by including elements of A.R.S. §13-105, to deal with criminal street gangs.

Their long-term goal is to form a gang task force when they have the resources, but in the meanwhile, they have begun collecting information and intelligence on gang-related incidents and members. Because gangs often travel through adjacent jurisdictions, outside information and intelligence is collected from the Chandler, Casa Grande, Coolidge and Phoenix Police Departments. In addition, some Gila River Police officers have attended the State Gang Task Force school.

The Gila River Police Department has reported some interesting trends in their street gang population. For example, it is common for brothers, fathers and sons from the same family to join rival gangs rather than the same gang. Most of the gangs on the reservation are Native American, however, there are non-reservation gang members/taggers who graffiti on the reservation.

The most common crime among citizens of the Native American Community, whether or not they are gang members, is assault. The Gila River community is similar to Apache County in that the

majority of gang-related assaults involve physical confrontation rather than the use of guns. Stealing cars for joy riding purposes and drive-by shootings are crimes that have also increased among the Gila River gang population.

## **Public School Students and Gangs**

Gang-related activities often begin while children are still in their pre-teen to teenage years. For this reason, an examination of gang membership among public school students has been conducted for several years by Arizona Criminal Justice Commission staff.

To gauge how many students were either involved with or interested in gangs, students in grades six through twelve participated in the survey and were asked if they were in a gang. In all, a total of 6.5% students claimed gang membership.

The *National Longitudinal Survey of Youth* report (1997) surveyed a nationwide sample of students between 12-16 years of age about gang membership. In this national sample, 5% of students claimed they belonged to a gang<sup>5</sup>. Of the students between 12-16 years of age in the Arizona sample, 5.5% of students reported they were in a gang. Therefore, Arizona's survey data is consistent with the national average on gang membership among this age group.

Half of all Arizona students reported they knew someone who was a gang member. Included in this statistic are the 19.3% of students reporting they had a gang member in their family, 30.5% knew a gang member in their neighborhood and 45.2% knew a gang member at their school<sup>6</sup>. Of the national sample of students, 28% reported the presence of gangs in their school<sup>7</sup>. Arizona students report a greater awareness of the presence of gang members in their schools than students nationally.

According to the survey, gang members are much more likely to exhibit threatening behaviors on school property than are other public school students. In some instances, these differences are quite large. Gang members are:

- Six times more likely to have brought a weapon to school six or more days in a month.
- Six times more likely to have been injured with a weapon on school property in the last year.
- Twice as likely to know someone who has brought a weapon to school in the last month.
- Seven times more likely to have been involved in 12 or more physical fights on school property within a year.
- Six times more likely to have been threatened with a weapon on school property within a year.

The results of this study has demonstrated that agencies across the spectrum of criminal justice generally agree on certain issues that will increase their effectiveness in handling street gang issues. Across the criminal justice system, agencies reported a need for increased interagency communication, increased community education and increased prevention/intervention strategies. An assessment of the needs reported by criminal justice agencies in this report is being planned. Discussions groups will be conducted in an effort to find solutions to the needs of the criminal justice system to deal more effectively with street gang activities. These changes will allow the criminal justice system to become better coordinated for a better Arizona community.

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<sup>5</sup> United States Department of Justice; Office of Justice Programs; Office of Juvenile Justice and Delinquency Prevention (1999). *Juvenile Offenders and Victims: 1999 National Report*.

<sup>6</sup> These figures add up to more than 50% because a student can know a gang member(s) in their family and/or a gang member(s) in their neighborhood and/or a gang member(s) at school.

<sup>7</sup> United States Department of Justice; Office of Justice Programs; Office of Juvenile Justice and Delinquency Prevention (1999). *Juvenile Offenders and Victims: 1999 National Report*.

## Introduction

During the 1994 session, the Arizona State Legislature passed several street gang-related definitions and sentencing provisions. Section §13-105 of the Arizona Revised Statute (A.R.S.) defines “criminal street gang” and “criminal street gang member.” A.R.S. §13-105.7 reads: “‘Criminal street gang’ means an ongoing formal or informal association of persons whose members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and who has at least one individual who is a criminal street gang member.” A.R.S. §13-105.8 states: “Criminal street gang member” means an individual who meets two of the following seven criteria:

- a) Self-proclamation.
- b) Witness testimony or official statement.
- c) Written or electronic correspondence.
- d) Paraphernalia or photographs.
- e) Tattoos.
- f) Clothing or colors.
- g) Any other indicia of street gang membership.

Collectively, these seven criteria constitute formal Gang Member Identification Criteria (GMIC), originally developed by the Arizona Department of Public Safety (DPS) to determine gang membership. Each of these criteria is examined individually below.

- **Self-Proclamation:** the self-admission of gang membership or association with a street gang. Self-proclamation can be documented in all records of contact using suspect, victim, and/or witness accounts by criminal justice agencies.
- **Witness testimony or official statement:** many include court testimony, depositions, or interviews with suspects, victims, witnesses, or confidential informants.
- **Written or electronic correspondence:** includes information referencing any gang activity, incidents, names or nicknames. These references may be found in letters, notes, tapes or documents, and can be noted in records of contact, intelligence information and incidents of criminal investigation by law enforcement agencies.
- **Paraphernalia or photographs:** includes photographs or drawings depicting gang membership, association or involvement. Also included are rings, calling cards, weapons, or other symbols referring to the gang, whether in or out of the control or possession of the gang member. These objects aid in identification of individuals and groups by showing locations, documents or propaganda relating to the gang.
- **Tattoos:** may be used in identifying a specific gang moniker or symbol, regardless of gang type. The tattoos may be covered up, burned out or be old tattoos.
- **Clothing and colors:** may include the type, color or manner in which clothing is worn. Other signs include rags, patches, belt buckles and/or jewelry. The type of gang may be a street, prison, motorcycle, or other gang, and the articles may include bandannas, hats, vests, specific colors and accessories.
- **Any other indicia of street gang membership:** this seventh indicator of street gang membership provides for recognition of new or innovative ways the ever-changing gang cultures may devise for self-recognition or recognition by others.

Arizona Revised Statutes §13-604(T) and §13-2308 deal with sentencing issues. A.R.S. §13-604(T) states, “A person convicted of committing any felony offense with the intent to promote, further or assist any criminal conduct by a criminal street gang shall not be eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as authorized by A.R.S. §31-233, subsection a or b until the sentence imposed by the court has been served, the person is eligible for release pursuant to §41-1604.7 or the sentence is commuted. The presumptive, minimum and maximum sentence for the offense shall be increased by three years. The additional sentence imposed pursuant to this subsection is in addition to any enhanced sentence that may be applicable.

A.R.S. §13-2308 has three relevant subsections:

- F. Assisting a criminal syndicate is a class 4 felony. If committed for the benefit of, at the direction of, or in association with any criminal street gang, with the intent to promote, further or assist any criminal conduct by the gang, assisting a criminal syndicate is a class 3 felony.
- G. A person who violates subsection A, paragraph 1,2,3 or 4 of this section for the benefit of, at the direction of or in association with any criminal street gang, with the intent to

- promote, further or assist any criminal conduct by the gang, is guilty of a class 2 felony.
- H. Use of a common name, common identifying sign or symbol shall be admissible and may be considered in proving the combination of persons or enterprises required by this section.

## **Research Methods**

Since 1990, the Arizona Criminal Justice Commission (ACJC) has been conducting an annual statewide survey of state, county and municipal law enforcement agencies in an effort to assess the current status of street gangs and gang-related drug activity in Arizona. In 1992 and 1993, the survey was expanded to include federal, tribal and airport law enforcement agencies as well as prosecutors and probation departments. The 1998-1999 report includes responses from federal, state, county, tribal, university, airport, railroad and municipal law enforcement agencies; federal, state, county and municipal prosecuting attorneys; federal and county adult and juvenile probation agencies; the Federal Bureau of Prisons, the Arizona Department of Corrections and the Arizona Department of Juvenile Corrections.

In both 1998 and 1999, the street gang survey instruments were expanded to include more specific questions and omit unnecessary questions. Specific content areas and questions were then tailored to each particular group (law enforcement, prosecution, probation or corrections). All four groups were asked the same questions regarding street gang information, gang member identification and street gang task forces. Street gang information questions dealt with collection and dissemination methods and information systems. Gang member identification items referred to agency awareness and use of the criteria in A.R.S. §13-105.8 (a-g).

All agencies were asked questions regarding their participation in local or regional street gang task forces. The needs and concerns of the agencies were assessed by asking questions regarding the adequacy of current criminal statutes in addressing street gangs, the need for legislation specifically aimed at street gangs, their opinion regarding the consistency in identification and reporting of gang members and gang crime, the current status of the gang problem in Arizona and other questions related to priority issues and concerns.

Law enforcement agencies were asked specific questions on the number of gangs, gang members and street gang associates in their jurisdictions. Also requested were figures on drug trafficking and arrests, the number of weapons confiscated, and whether or not the law enforcement agency has a specialized street gang unit. If the law enforcement agency had a special street gang unit, they were asked about the number and type of personnel in these units. In 1999, law enforcement agencies were asked about street gang organization, the level of organization, if law enforcement officials detect a hierarchy within the gang structure, and if the organization or hierarchy could be described. Prosecution agencies were asked about the felony and misdemeanor charges most commonly brought against street gang members, the most common offenses street gang members are convicted of, dispositions, types of sentences and criminal record histories of gang members prosecuted in 1998 and 1999. Probation agencies were asked about the numbers and types of gang members under their supervision, whether any specialized caseloads or special conditions of probation were utilized for known street gang members, if the probation agency had a graffiti abatement program, and the number of gang members who either successfully completed their probation or had it revoked during 1998 and 1999. The Federal Bureau of Prisons, the Arizona Department of Corrections and the Arizona Department of Juvenile Corrections were asked about gang members who were either incarcerated or on parole in 1998 and 1999.

## **Population and Sample**

In 1998 and 1999, the Arizona Criminal Justice Commission staff administered a statewide survey to all federal, state, county, municipal, tribal, university and airport law enforcement agencies. The Commission staff received 116 completed surveys from the law enforcement agencies in 1999, which produced a 75% response rate of all the surveys mailed. Of prosecutors surveyed, a total of 49 surveys were returned. Municipal attorneys were included in the survey for the first time in 1999. Thirty-six of the 80 city attorneys responded to the survey. Several city offices contract private law firms for misdemeanor prosecution, and some municipal attorneys only deal with violations of city ordinances, therefore were unable to respond to the survey questions. Surveys were submitted to 17 prosecution agencies and 13 were returned, for a 77% response rate. The Commission staff also sent surveys to 24 probation agencies and 22 were returned for 92%

response rate. Surveys were sent to the Federal Bureau of Prisons in Phoenix and Tucson, the Arizona Department of Corrections and the Arizona Department of Juvenile Corrections. In all, the Commission staff mailed 272 surveys and 192 were returned, which accounts for 70.5% of the total number of surveys mailed.

In all, the criminal justice agencies that participated in the survey were:

#### Law Enforcement

- *Eleven Federal Agencies*
  - Federal Bureau of Investigation
  - United States Secret Service in Phoenix, AZ
  - United States Immigrations and Naturalization Service
  - Bureau of Alcohol, Tobacco and Firearms in Phoenix and Tucson
  - Drug Enforcement Agencies in Phoenix and Nogales
  - The Naval Criminal Investigation Services in Yuma
  - Defense Criminal Investigation Service
  - Air Force Office of Special Investigations, DET 217, Davis-Monthan Air Force Base
  - United States Customs Service, District of Arizona
- *Two State Agencies*
  - Arizona Department of Public Safety
  - Arizona Capitol Police Department
- *Twelve County Agencies*
  - Apache County
  - Cochise County
  - Gila County
  - Graham County
  - La Paz County
  - Mohave County
  - Navajo County
  - Pima County
  - Pinal County
  - Santa Cruz County
  - Yavapai County
  - Yuma County
- *70 Municipal Agencies*
- *Six Tribal Agencies*
  - Cocopah Tribal Police Department
  - Ft. McDowell Tribal Police Department
  - Ft. Mojave Tribal Police
  - Navajo Tribal Police
  - Salt River Tribal Police
  - Tohono O'dham Police Department
- *Nine Other Agencies*
  - Arizona State University
  - Arizona State University West
  - Arizona Western College
  - Maricopa Community College
  - Northern Arizona University
  - Tucson Airport Police
  - Union Pacific Railroad
  - University of Arizona
  - Yavapai College

#### Prosecution

- *Two State Agencies*
  - United States Attorney General
  - Arizona Attorney General
  - Gila County
  - Graham County
  - Greenlee County
  - La Paz County
  - Maricopa County
- *Eleven County Agencies*
  - Apache County
  - Cochise County
  - Mohave County
  - Navajo County
  - Pima County
  - Santa Cruz
- *36 Municipal Agencies*

#### Probation

- *United States Federal Probation*
- *Eight County Juvenile Probation*

➤ *Nine County Adult Probation Departments*

- Apache County
- Cochise County
- Coconino County
- Maricopa County
- Pima County
- Pinal County
- Santa Cruz County
- Yavapai County
- Yuma County

Departments

- Apache County
- Cochise County
- Coconino County
- Maricopa County
- Pima County
- Pinal County
- Yavapai County
- Yuma County

➤ *Four County Adult and Juvenile Probation Departments*

- Greenlee County
- La Paz County
- Mohave County
- Gila County

Corrections

- Federal Bureau of Prisons (Tucson, AZ)
- Arizona Department of Corrections
- Arizona Department of Juvenile Corrections

**Personnel**

A total of 116 law enforcement agencies responded to the 1999 street gang survey from the Arizona Criminal Justice Commission. The total reported number of employees working in law enforcement agencies within Arizona during 1999 (sworn and non-sworn, including reserve officers and part-time employees) was 44,092. However, it is estimated that the total number of employees is higher than this figure because several law enforcement agencies reported only sworn officers. Of those prosecution agencies that reported the number of employees, a total of 2,540 people were employed in 1999. The total probation officers employed in 1999 as reported by participating agencies totaled 2,699 officers (not including officers from the Maricopa County Adult Probation Department). The Federal Prison in Tucson reported a total of 255 employees. The Arizona Department of Corrections reported approximately 6,200 and the Juvenile Department of Corrections for the State of Arizona reported 864 employees.

The purpose of this report is to measure the prevalence of gang activity in the state in accordance with A.R.S. §41-2416. Street gang information was gathered in several ways. First, Arizona Criminal Justice Commission staff submitted four separate questionnaires: one each to law enforcement agencies, prosecution agencies, probation agencies and corrections agencies. All local, county, state and federal agencies in Arizona who fell into one of these categories were asked to provide their views by returning the questionnaire. Second, separate interviews were conducted with officers/deputies from the Arizona Department of Public Safety's Gang Intelligence and Team Enforcement Mission (GITEM), the Apache County Sheriff's Office, the Gila River Tribal Police Department, the Arizona Department of Juvenile Corrections, and the Western Maricopa County Narcotics/Gang Task Force. Third, a questionnaire was administered to a sample of public school students representative of the entire state to determine gang prevalence among this group. This report will describe the findings of these studies by first looking at the survey results of the law enforcement, prosecution, probation and correctional agencies, moving on to the results of the group interviews, and concluding with the analysis of data regarding public school students in gangs.



## Law Enforcement Perspective

Within the state of Arizona, the Department of Public Safety is the central repository for all gang statistics kept by county and municipal law enforcement agencies. However, not all data is reported on a consistent basis, therefore, to get an accurate account of gangs and gang members, the Arizona Criminal Justice Commission surveyed all law enforcement agencies throughout the state. Analysis of the gang issues in Arizona will be made on all governmental levels: federal, state, county and local.

### Federal Agencies

*Street Gangs in Arizona 1998-1999* includes the largest number of federal responses in the history of the survey, with eleven federal law enforcement agencies responding. Not all of these agencies collect their own information or intelligence on street gangs, but all report working with local and state agencies on the street gang problem in Arizona.

The Bureau of Alcohol, Tobacco and Firearms (ATF) in Arizona collects, disseminates and receives information and intelligence on gang members and gang-related activity. The Tucson office reported working with GITEM, the state gang task force. This federal bureau prioritizes the problems in their respective areas and assigns a special agent to a task force as needed. ATF describes gang activity as moderately organized and displays a hierarchy within the gang structure. The overall gang problem is described as 'serious' by the ATF in that it is growing, but could be controlled. Additional resources that would be helpful include identifying purchasers/suppliers of firearms and seizing firearms from persons under 24 years of age.

The United States Department of Justice Drug Enforcement Agency collects information and intelligence on gang activity. In addition to having their own specialized gang unit in Tucson (the Gang Enforcement Group), the federal DEA works with the state DEA, local task forces, Maricopa HIDTA (High Intensity Drug Trafficking Area) Clan Lab Task Force and GITEM. The Gang Enforcement Group has limited access to Federal DEA money and relies on government funds through the Organized Crime Drug Enforcement Task Force on a case by case basis. The gangs DEA reports as the most active in Arizona include Brown Mexican Pride, Barrio Libre, 12<sup>th</sup> Ave Crips, Hollywood, Naked City and Varrio Los Avenidas. The DEA reports that Arizona gangs are moderately organized and often engage in drug trafficking<sup>8</sup> and auto theft. DEA describes the gangs they come in contact with as having one or two leaders that are supported by several lieutenants. Recently, the DEA has experienced some juvenile gang involvement and works with local task forces on this problem. The Federal Drug Enforcement Agency has suggested that Arizona gun laws should be revised with respect to carrying a concealed weapon. They suggest that making parents accountable for their child's conduct will decrease the number of juveniles in possession of weapons. Five priority issues the DEA reported as critical to dealing with street gangs are:

1. A focused, coordinated law enforcement task force encompassing all local agencies to prevent duplication of efforts, manpower and resources.
2. A multi-agency group that coordinates and prioritizes the targeting of the most violent and active gangs.
3. Aggressive prosecution by federal, state and county prosecutors, using prosecution criteria based on violence of the gang and the impact on the community.
4. A centralized database that all federal, state and local law enforcement agencies input and access.
5. Additional analytical support.

The Federal Bureau of Investigation collects disseminates and receives gang information/intelligence, and works on the operation and enforcement of gangs. The criteria this federal agency uses to identify gang members includes A.R.S. §13-105 and the federal RICO statute (Title 18, US Code, Section 1961). The Phoenix Division of the FBI currently sponsors the Violent Street Gang Task Force (VSGTF) which is dedicated exclusively to the investigation of violent street gangs in the Phoenix metropolitan area. The Mountain Eagle Safe Streets Task Force deals with violent crime in Flagstaff and Coconino County. The Navajo Nation Safe Trails Task Force (STTF) investigates violent street gangs on the Navajo

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<sup>8</sup> DEA primarily targets street gangs involved in distribution of drugs.

Reservation. In Tucson, a Safe Trails Task Force is maintained in conjunction with the Tohono O'Odham Police Department Gang Unit and the Fugitive Investigative Strike Team (FIST)<sup>9</sup>.

The Federal Bureau of Investigation listed the New Mexican Mafia, the Aryan Brotherhood and other various ethnic gangs as the most active street gangs they deal with. They describe these gangs as moderately organized, with a structured hierarchy, and engaging in drug crimes and interstate trafficking of stolen property. The gang problem, according to the FBI, is 'serious' and growing, but can be controlled with current resources. However, other issues critical to the FBI in dealing with the gang problem include: interagency cooperation, networking/information exchange, aggressive prosecution, stricter sentencing, intervention/prevention and public education/awareness.

The United States Immigration and Naturalization Service (USINS) in Phoenix collaborates with the State Gang Task Force (GITEM) on gang intelligence/information and operation/enforcement. The USINS expands the criteria of identifying gang members to include ARS §13-105, and gang criteria from other states and correctional facilities. Two full-time USINS Special Agents are assigned to gang enforcement. They have identified Wetback Power and Califas SUR 13 as the most criminally active street gangs. USINS describes these gangs as organized groups possessing a structured hierarchy consisting of "OGs" (Original Gangsters) and/or "Veteranos" descending down to "peewees". According to USINS, time spent within the gang decides the status of a gang member. The organized activity of these gangs ranges from property crimes and vehicle thefts escalating to aggravated assault and homicide. USINS reported 57 felonies, 44 misdemeanors, 100 adult arrests and one juvenile arrest for threats and intimidation in 1999. Thirty-two weapons were seized by the USINS in 1999. The Immigration and Naturalization Service describes the gang problem as 'very serious' and growing, but controllable with additional resources. Priorities for their office include formal coordination between federal and state prosecutors, a consolidated gang database, better coordination of intelligence sharing with neighboring states (California in particular), multi-agency coordination to target gang members with firearm violations, and a statewide gang conference addressing regional gang issues.

The United States Secret Service focuses on the investigation of individuals and conspiratorial groups, which may involve recognized gang members. When a gang member has been identified, the US Secret Service coordinates with the appropriate task force in an effort to develop further investigative leads. The US Secret Service most often provides support to federal or local law enforcement agencies with primary jurisdiction regarding street gang activities. The Service has also provided investigative experience to task forces investigating gangs with involvement in financial crimes.

The Air Force Office of Special Investigations DET217 does not work with any task force, but does collect street gang information and intelligence. They are concerned about street gang activity affecting the United States Military community, particularly at Davis-Monthan Air Force Base.

The Naval Criminal Investigative Service in Yuma reports three motorcycle gangs in their jurisdiction. The criteria they use for identifying gang members include A.R.S. §13-105 and Directive 1325.6. The NCIS describes the gangs in their area as organized with definite leaders, a president, a vice-president, a sergeant-at-arms, members and prospects. The gang activity is described as mild and under control according to the Naval Office.

The United States Customs Service collects street gang information on a case by case basis. Depending on the investigation, US Customs Service works with area task forces on identifying gang members involved in weapon and/or drug smuggling or money laundering. The USCS reports that the Arizona street gang problem varies by port of entry.

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<sup>9</sup> This unit primarily investigates fugitives with the assistance of local gang units.

## **Arizona Department of Public Safety**

Even though all Federal agencies do not compile their own statistics on gangs and gang members, they often utilize state information. The Arizona Department of Public Safety maintains a gang database of all gangs, gang members and gang activity, which is attained from state, county and local law enforcement agency data. According to the Arizona Department of Public Safety, the number of *gangs* has risen slightly from 691 in 1998 to 726 in 1999, but total number of gang members in 1999 is less than 1998 by a difference of 2,594 members<sup>10</sup>. Table 1-1 reports the number of gangs and the number of members as reported by the Arizona Department of Public Safety for 1998 and 1999.

**Table 1-1: Gangs and Gang Members as reported by DPS.**

	1998		1999	
	Gangs	Members	Gangs	Members
Asian	8	40	8	41
Black	59	973	56	776
Female	9	50	9	832
Hispanic	378	N/A	398	N/A
Motorcycle	9	1,101	23	181
Multi-Racial	94	N/A	105	N/A
Native American	78	455	82	530
Other	1	1,033	1	N/A
White	55	9,111	44	*7,809
Total	691	13,213	726	10,169

\* N/A= Not Available

\* DPS follows federal guidelines by reporting Hispanics and Mexicans under the White category

## **Arizona County Sheriffs' Offices**

County agencies also compile their own street gang statistics. Of the fifteen county sheriff agencies, 12 responded to the 1999 street gang survey. Of the counties that responded, the number of gangs has more than doubled in the last two years from 73 gangs in 1998 to 174 in 1999. Table 1-2 shows the number of gangs and gang members as reported by these counties<sup>11</sup>.

<sup>10</sup> This may be due to fewer members claiming gang membership because of enhanced sentencing for documented gang members.

<sup>11</sup> Counties that did not respond were Coconino, Greenlee and Maricopa

**Table 1-2: Gangs and Gang Members as Reported by County Agencies**

	1998		1999	
	Gangs	Members	Gangs	Members
Asian	0	0	1	8
Black	5	15	22	1,463
Female	1	10	6	25
Hispanic	16	239	68	2,380
Motorcycle	3	11	14	33
Multi-racial	11	46	18	382
Native American	7	40	14	290
Other	22	6	14	400
White Supremacist	8	13	17	644
Total	*73	*380	*174	*5,625

\*The data from the most populated county, Maricopa, was incomplete in 1998 and was not available in 1999.

### **Municipal Law Enforcement Agencies**

Seventy of the 81 participating municipal law enforcement agencies reported an increase of more than 3,000 gang members from 1998 to 1999 and the number of gangs doubled from 447 to 899. Table 1-3 displays the number of gangs and gang members as reported by local law enforcement in 1998 and 1999.

**Table 1-3: Gangs and Gang Members as Reported by Municipal Agencies**

	1998		1999	
	Gangs	Members	Gangs	Members
Asian	1	15	20	65
Black	79	998	123	1,276
Female	2	37	6	119
Hispanic	231	5,206	390	7,539
Motorcycle	24	160	36	161
Multi-Racial	50	599	130	273
Native American	14	56	28	209
Other	21	7	61	32
White Supremacists	25	286	105	855
Total	447	7,364	899	10,529

It is hypothesized that with increases in population comes an increase of individuals who join gangs. At the 2000 National Gang Conference in Anaheim, California, it was reported that traditional gang members comprise about one percent of a community's population. Therefore, based on this assessment, Arizona's total street gang population in 1999 should equal about 50,000<sup>12</sup>. However, the highest report of documented gang members by ACJC was 13,213 in 1998, only .27% of the total population. Arizona's gang population in the last ten years has not exceeded .3% of the total population. Table 1-4 below describes Arizona's population for the last ten years and the number of gangs as reported by the Arizona Department of Public Safety.

**Table 1-4: Gangs, Gang Members and Population, 1990-1999**

Year	Population of Arizona	Total Gangs	Total Gang Members	Gang Members as a Percent of the Population
1999	4,924,350	726	9,743	.20%
1998	4,764,025	691	13,213	.27%
1997	4,600,275	701	8,615	.18%
1996	4,462,300	799	10,075	.23%

<sup>12</sup> 1999 Department of Economic Security figures reported the state of Arizona total population as 4,924,350, therefore calculating one percent would equal 49,244 gang members.

1995	4,307,150	755	8,129	.18%
1994	4,071,650	670	9,034	.22%
1993	3,958,875	809	8,095	.20%
1992	3,858,850	351	6,842	.18%
1991	3,767,000	N/A	9,010	.24%
1990	3,680,800	N/A	5,115	.14%

\* N/A= Not Available

Several law enforcement agencies track crimes involving gang members and/or crimes involving gang activity, although criteria defining gang related crime vary by jurisdiction. Eighty-six percent of agencies report using A.R.S. §13-105 alone or in combination with other criteria to define gang members. Table 1-5 provides statistics from participating agencies on the number of crimes involving gang-related activity and/or gang members.

**Table 1-5: Gang related Crime Incidents, 1998-1999**

Crime	Juveniles 1998	Juveniles 1999	Adults 1998	Adults 1999	Unknown 1998	Unknown 1999	Total 1998	Total 1999
Homicide (drive-by)	0	1	3	5	1	0	4	6
Homicide (all others)	2	2	1	10	21	23	24	35
Aggravated assault (drive by)	19	0	4	9	21	90	44	99
Aggravated Assault (all others)	74	133	61	119	139	3,552	274	3,804
Simple Assault	61	123	114	128	29	596	204	847
Burglary (residence)	8	103	7	132	9	1,880	24	2,115
Burglary (non- residence)	5	20	3	20	0	60	8	100
Robbery	14	6	28	6	5	24	47	36
Drug Offenses	245	281	890	1,018	66	712	1,201	2,011
Weapon Offenses	79	74	168	123	0	784	247	981
Criminal Damage	42	143	49	81	19	4,927	110	5,151
Threats and Intimidation	6	116	5	90	1	1,647	12	1,853
Liquor	334	142	65	228	20	2,640	419	3,010
Other	1,143	2	5,662	91	351	111,393	7,156	*111,486
Total	2,032	1,146	7,060	2,060	682	128,328	9,774	131,534

\* Navajo Nation Tribal Police Department does not have 'gang-criteria'. Therefore some of the incidents reported by this agency might not involve gang activity/members.

The number of weapon offenses has grown over the last two years from 247 in 1998 to 981 in 1999, but the number of weapons confiscated has decreased. However, this may not be reflective of what Arizona law enforcement is actually experiencing because not all law enforcement agencies report the number of weapons confiscated and the number of weapon offenses. Table 1-6 describes the number of weapons confiscated in 1998 and 1999 by law enforcement agencies providing this information.

**Table 1-6: Number of Weapons Confiscated, 1998-1999.**

	1998	1999
Semi-auto handguns	63	68
Handguns (other)	48	38
Semi-auto rifles	44	21
Rifles (other)	13	22
Semi-auto shotgun	3	1
Shotgun (other)	20	21
Auto machine gun	10	2
Knives/cutting devices	90	64
Explosives	5	0
Other	*506	*218
Total	802	455

\*Some agencies report only a total number of weapons confiscated, so that number is calculated into the 'other' category.

The number of arrests from reporting agencies has decreased in the last two years as shown in Table 1-7. However, not all participating agencies report these figures.

**Table 1-7: Number of Arrests reported by All Agencies, 1998-1999**

Type of Arrest	1998	1999
Felony	3319	1632
Misdemeanor	6524	2176
Total Arrests	9843	3808

Law enforcement officials were asked to list the names of the gangs they thought were the most criminally active in their area and what the most frequent criminal activity was among those gang members. The following gangs were the ten most criminally active gangs as reported by law enforcement.

**1998**

- Brown Pride
- BCL
- CASA13
- Creekside Chicanos
- Hells Angels
- Mountainview park
- SUR 13
- Westside City
- Westside Crips
- Wetback Power

- 35<sup>th</sup> Street Intruders
- Brown Pride
- Creekside Chicano's
- Eastside 13
- Eastside Bloods
- Hells Angels
- Peckerwoods
- Southside 13
- Westside Crips
- Wetback Power

**1999**

The criminal activity of these gangs and many others ranges from homicide to liquor violations. Law enforcement officials reported that in 1998 and 1999 the most frequent activities gang members engaged in were aggravated assault, burglary/theft, criminal damage and narcotic trafficking and/or sales.

Law enforcement agencies were asked what top three drugs were trafficked by gang members and what three drugs gang members most often used. Table 1-8 lists the drugs most often used by gang members as reported by law enforcement. Marijuana was most often reported by law enforcement agencies as the drug used and trafficked by gang members.

**Table 1-8: Gang Affiliation of Drug Use and Trafficking**

	Drugs Used by Gang Members	Drugs Trafficked by Gang Members
Black	Crack/cocaine, Marijuana Cocaine	Crack/cocaine, Marijuana, Amphetamine/ methamphetamine
Hispanic	Marijuana, Amphetamine/ methamphetamine	Marijuana, Amphetamine/ methamphetamine, Heroin

	Crack/cocaine	
Native American	Marijuana, Crack/cocaine, Inhalants	Marijuana, Heroin, Other Depressants
White Supremacist	Marijuana, Amphetamine/ methamphetamine, Cocaine	Amphetamine/ methamphetamine, Marijuana, Cocaine
Motorcycle	Amphetamine/ methamphetamine, Marijuana, Other Narcotics	Amphetamine/ methamphetamine Marijuana, Other Narcotics
Asian	Marijuana, Crack/cocaine, Heroin	Marijuana
Female	Marijuana, Crack/Cocaine, Amphetamine/ methamphetamine	Amphetamine/ methamphetamine Marijuana, Cocaine
Multi-racial	Marijuana, Amphetamine/ methamphetamine, Crack/cocaine	Marijuana, Crack/cocaine, Amphetamine/ methamphetamine

Thirty-four percent of responding law enforcement agencies reported that the gangs in their area had some type of organization. When asked if the gangs demonstrated a hierarchical organization, 31% of agencies said there was evidence of organized leadership and almost an equal number reported that some of the activities gangs engaged in are organized. Descriptions of gang organization as explained by law enforcement range from 'loose' to 'very structured'.

Out of the 116 responding law enforcement agencies, 55 reported participating in a gang and/or narcotics task force and 18 reported having their own specialized gang unit within their department.

Fifteen more law enforcement agencies reported they had no gang problem in 1999 than in 1998, for a total of 29 agencies reporting no gang activity in 1999. Sixty-five percent of agencies reported that the identification and reporting of street gangs and their members were consistent throughout Arizona in 1999. This report of consistency reflects an increase since 1998, when 55% of agencies reported a consistent identification and reporting of gang members and activity. The number of agencies reporting that their gang problem was "growing but controllable with additional resources" rose from 13 agencies in 1998 to 28 in 1999. The most common listed activities to increase the effectiveness for law enforcement included:

- Community involvement/awareness/education;
- Aggressive prosecution of gang members;
- Training/education of officers, attorneys and judges;
- Continued and enhanced interagency cooperation, especially the sharing of information and intelligence; and
- Suppression/intervention/prevention efforts at the schools and through probation and suppression efforts in the community.

In conclusion, law enforcement agents have contact with street gangs and their members through various avenues. The documentation of gang members and their possible arrest, allows law enforcement to give the broadest view of the gang situation in Arizona. Prosecutors have the least amount of interaction with gang members in comparison to law enforcement, probation and corrections. The following section will examine the prosecution perspective of street gangs in Arizona.



## Prosecution Perspective

Prosecution agencies have a limited scope of interaction with street gangs and their members as compared to law enforcement, probation and correctional agencies. Prosecution of gang members in Arizona has become more specialized and severe.

Prosecution agencies have been included in the street gang report since 1992, at which time only state and county level prosecutors were surveyed. In 1999, the Arizona Criminal Justice Commission expanded the list of surveyed prosecution agencies to include city prosecutors, to determine if misdemeanor crimes such as criminal damage/graffiti are being prosecuted at the local or county levels. It was found that most municipal agencies do not engage in prosecuting gang members because gang-related cases are often transferred to county prosecutors. With the implementation of the enhanced sentencing statutes, A.R.S. §13-604(T) and §13-2308, the prosecution of gang members has become more severe. This section will highlight those state, county and city agencies that reported information about street gang member prosecutions.

Of the prosecution agencies responding to the 1999 street gang report, 16 reported collecting their own street gang information. Fifteen agencies received information from other criminal justice agencies, four received information from sources other than criminal justice agencies and six disseminated information to other criminal justice agencies.

The number of prosecution agencies with a unit dedicated to gang crime has remained the same over the past two years, although the agencies have changed:

### **1998 Special Prosecution Units**

- Arizona Attorney General's Office
- Gila County Attorney's Office
- Maricopa County Attorney's Office
- Mohave County Attorney's Office
- Pima County Attorney's Office
- Yuma County Attorney's Office

### **1999 Special Prosecution Units**

- Arizona Attorney General's Office
- Gila County Attorney's Office
- Maricopa County Attorney's Office
- Navajo County Attorney's Office
- Pima County Attorney's Office
- Tucson City Prosecutor's Office

The number of prosecution agencies participating in gang task forces rose from eight agencies in 1998 to twelve in 1999. The agencies, the names of the task forces they work with and the levels of their involvement are listed in Table 2-1.

**Table 2-1: Prosecuting Agencies and Participating Task Forces.**

	<b>Name Of Task Force</b>	<b>Level of Participation</b>
Arizona Attorney General	East and West Valley Task Force	Information, Intelligence, Operations, Enforcement
Gila County Attorney	GITEM and Gila County Narcotics Task Force	Information, Intelligence
Graham County Attorney	N/A	Information, Intelligence, Operations, Enforcement
La Paz County Attorney	La Paz County Task Force	Information, Intelligence, Operations, enforcement.
Maricopa County Attorney	East Valley Task Force, Governor's Gang Advisory Committee, FBI Violent Street Gang Task Force, GITEM	Information, Intelligence, Operations, Enforcement
Mohave County Attorney	GITEM	Operation, Enforcement
Navajo County Attorney	Navajo RATF Task Force	Information, Intelligence
Pima County Attorney	Pima County Gang Task Force, GITEM	Information, Intelligence, Operations, Enforcement
Glendale City Prosecutor	Glendale Police Department	N/A
Oro Valley City Prosecutor	Goodyear Police Department	N/A
Phoenix City Prosecutor	Phoenix Police Department Gang Intelligence Task Force	Information, Intelligence
Tucson City Prosecutor	Pima County Attorney Gang Unit	Information, Intelligence

The number of gang-related felonies dismissed against adults in the last two years has remained about the same with 36 in 1998 to 37 in 1999. The number of juvenile delinquency cases that negotiated a plea increased from zero in 1998 to 52 in 1999. In fact, the adjudication of juveniles has increased between 1998 and 1999, with more juveniles charged and sentenced to detention, probation or intensive probation in 1999 than in 1998. Bench dispositions for both felony and delinquency cases rose dramatically in the last two years. Felony cases went from zero to 38 and delinquency cases were at zero in 1998 and rose to 13 in 1999. The jump in juvenile delinquency cases may be the result of juvenile justice reform laws and the enhanced prosecution of gang members. Table 2-2 shows the number of disposition for both years.

**Table 2-2: Dispositions in 1998 and 1999**

Dispositions	Case: Misdemeanor		Case: Felony		Case: Delinquency	
	1998	1999	1998	1999	1998	1999
Dismissed	0	0	36	37	0	15
Acquitted	0	0	6	3	0	1
Straight Plea	0	2	5	8	0	0
Negotiated Plea	4	0	342	207	0	52
No Contest	0	0	2	0	0	0
Guilty: Jury	0	0	23	21	0	0
Guilty: Bench	0	0	0	38	0	13
Other	0	0	1	3	0	2
Unknown	0	0	0	0	0	0
Total	4	2	415	317	0	83

The adjudication of juveniles increased between 1998 and 1999. More juveniles were charged and sentenced to detention, probation or intensive probation in 1999 than in 1998. Table 2-3 below shows the number of convictions for adults and juveniles in 1998 and 1999.

**Table 2-3: Misdemeanor and Felony Convictions in 1998 and 1999**

	Misdemeanor Conviction		Felony Conviction	
	1998	1999	1998	1999
Sentence				
Incarceration only (prison or jail)	0	0	162	124
Incarceration and fine	0	2	81	0
Fine only	0	75	1	0
Incarceration as a condition of probation (not IPS)	3	0	72	50
Intensive probation	0	0	14	18
Standard probation	0	75	9	26
Summary probation	0	0	0	1
Juvenile detention	2	8	0	12
Juvenile intensive probation	0	28	0	3
Juvenile probation	1	8	0	45
Other	2	13	0	9

The most common misdemeanor charges and offenses brought against gang members in 1999 were assault, carrying a concealed weapon, criminal damage, disorderly conduct and threats/intimidation. Felony charges and offenses most commonly brought against gang members were aggravated assault, armed robbery, criminal damage, participating in a criminal street gang and theft of means of transportation. Delinquency charges include assault, burglary, possession of marijuana, weapons offenses and vehicle theft. The 10 gangs most actively involved in these crimes according to prosecutors were as follows:

- 35<sup>th</sup> Street Intruders
- Chula Vista Locos
- Chicali 13
- Park South Crips
- Southside 35<sup>th</sup> Avenue
- Southside Posse
- The Plaza
- Treetop Pirus
- Westside City Crips
- Wetback Power 31<sup>st</sup> Avenue

Even though the scope of their street gang experience is minimal, prosecutors give an accurate account of the problem of street gangs in Arizona. Some of the gang names given by law enforcement, probation and correction officials as the most active street gang are also evident in the prosecution stage of the criminal justice system. Probation may have the most regulated interaction with gang members in society. The next section will highlight the probation perspective of street gangs in Arizona.

## Probation Perspective

Probation agencies have a different perspective on street gangs in comparison to law enforcement agencies because in addition to enforcing court orders, probation officers are able to monitor gang members on a regular basis. This allows probation officers to know individual gang members more fully. When there is a healthy mentoring relationship between the probation officer and the gang member, there is real potential for behavior to change.

A total of 22 supervising probation departments in Arizona responded to the 1999 street gang survey. In all, information was received from 13 of the 15 counties throughout the state. Participating agencies included nine adult probation departments, eight juvenile probation departments and four probation departments (Greenlee, Gila, La Paz and Mohave) that supervise both adult and juvenile offenders. In addition, the United States Federal Probation Department for the District of Arizona completed the survey of street gangs and reported they supervise both juveniles and adults sentenced to federal probation.

According to data received by these departments, the number of street gang members supervised on probation has increased over seven times in the last five years, rising from 186 gang members in 1995 to 1,318 in 1999. This increase may be due in part to Arizona having the third highest increase in the nation of individuals placed on probation in one year alone. The breakdown of probation supervised gang members by gang affiliation is shown in Table 3-1 below.

**Table 3-1: Supervised Gang Members by Gang Affiliation, 1995-1999**

Gang Affiliation	1995	1996	1997	1998	1999
Asian	0	0	1	0	0
Black	10	20	11	30	16
Female	9	50	93	95	43
Hispanic	106	373	313	531	337
Motorcycle	4	11	0	7	5
Multi-ethnic	6	37	21	8	4
Native American	13	18	26	41	10
Other	7	5	2	14	885
White	31	51	30	83	18
Total	186	565	497	809	1,318

The county probation departments reported that in both 1998 and 1999 more juvenile gang members were supervised than adult gang members. This may be due in part to the tendency for adult gang members to deny gang membership because they are more aware of the increased sentencing penalties associated with claiming gang membership. Table 3-2 below demonstrates the number of adults and juveniles supervised on probation in the last five years. The numbers displayed in the table below do not correspond to the numbers in the table above because all probation departments do not maintain age statistics.

**Table 3-2: Breakdown by Age of Supervised Gang Members**

	1995	1996	1997	1998	1999
Juveniles	78	80	N/A	803	1,120
Adults	108	74	N/A	500	*104
Age unknown	N/A	N/A	N/A	26	16

\*Pima County Adult Probation Department reported supervising 35 juvenile transfers and Yuma County Adult Probation Department reported supervising four juveniles.

County probation departments have implemented different strategies to combat gang problems in their jurisdictions. Specialized caseloads, specialized conditions for individuals who claim gang membership and probation department participation in local gang task forces are common practices for effectively dealing with gang members on probation. In 1999, nine probation departments supervised gang members with special conditions imposed by the court and nine departments (not necessarily the same group) reported participating in a gang task force. Four departments reported having either a whole caseload devoted to supervising gang members and/or a specialized officer assigned to supervise gang members.

Among other things, probation departments vary by caseload, conditions of probation and task force participation. As reported above, many agencies do not have all three of these elements in their agency. For example, some agencies may participate on a task force but do not have a specialized caseload or set of conditions while others may have specialized caseloads and conditions, but do not participate on a task force. The following table (Table 3-3) shows the agencies that reported specialized gang terms, caseloads, or participation in a gang task force.

**Table 3-3: Agencies Reporting Specialized Gang Terms, Caseloads or Participation in a Task Force**

Agency	Specialized Conditions	Specialized Caseloads	Task Force Participation
Cochise	NO	NO	GRAPE (Gang Reduction, Awareness, Prevention and Education)
Gila	NO	NO	Provided information to GITEM
Graham	N/A *	N/A	N/A
Maricopa (Adult) <sup>13</sup>	YES	YES	Phoenix Gang Task Force Glendale Police Gang Task Force East Valley Task Force; GITEM Mesa Gang Intervention Task Force
Navajo	N/A	N/A	N/A
Pima <sup>14</sup> (Adult)	YES	YES	YES <sup>15</sup>
Pima <sup>16</sup> (Juvenile)	YES	YES	YES
Pinal (Adult)	YES <sup>17</sup>		NO
Pinal (Juvenile)	YES <sup>18</sup>		GITEM
Yavapai (Adult)	NO	NO	Yavapai County Inter-Agency Gang Task Force
Yavapai (Juvenile)	YES		NO
Yuma (Adult)	YES <sup>19</sup>	NO	GITEM
Yuma (Juvenile)	YES <sup>20</sup>	NO	GITEM Yuma County Sheriff's Office Cocopah, San Luis, Somerton, Wellton and Yuma Police Departments
United States Federal Probation Department	YES <sup>21</sup>	YES	NO

\* N/A= Not Available

The 1999 Street Gang Survey of probation departments asked agencies to report the most common type of offense for which gang members are sentenced to probation. The most common offenses committed by street gang members on probation were aggravated assault, assault, criminal damage and various drug offenses ranging from possession to sales and manufacturing. The United States Federal Probation Department reported that gang members supervised on federal probation are convicted of crimes such as bank robbery and counterfeiting.

Participating agencies were also asked to name the street gangs that were most often supervised on probation. Of all the ten probation departments that answered the question a total of 43 different gang names were listed, with CASA, Crips, Hollywood, Soma, Southside and Westside gang names listed by more than one probation department. (However several gang names were listed with variations, such as Brown Pride, Mexican Brown Pride and Brown Mexican Pride.)

The number of agencies reporting problems with gangs changed little between 1998 and 1999. The number of probation departments reporting they had no gang problem rose from two in 1998 to five in 1999. For both of these years, thirteen probation departments rated their gang problem as "moderate" to "very serious".

<sup>13</sup> Maricopa County Adult Probation has teams of trained probation officers that supervise only gang members with specialized conditions imposed by a sentencing judge. Maricopa County Superior Court imposed special conditions of probation for documented gang members as shown in Appendix A.

<sup>14</sup> Please see Appendix B for the Pima County Adult Specialized Terms of Probation.

<sup>15</sup> Both Pima County Probation Departments participated in several task forces, which included attending weekly meetings with the Tucson Police Department on gang activity.

<sup>16</sup> Pima County Juvenile Conditions of Probation are shown in Appendix C.

<sup>17</sup> Adult conditions specify that gang members are not to have association with other known gang members.

<sup>18</sup> Pinal County Juvenile Conditions are shown in Appendix D.

<sup>19</sup> Conditions for adult gang members in Yuma County are shown in Appendix E.

<sup>20</sup> Conditions on dress, paraphernalia, signs, and association.

<sup>21</sup> The specific conditions of probation that a gang member on federal probation must abide by are not to associate with other gang members, and not to wear gang identified clothing or paraphernalia.

However, probation departments generally report that consistency in identification and reporting of gang members has improved in the last two years. In 1999, 65% of probation departments reported this consistency existed, which is up from 35% of departments in 1998. The majority (80%) of Arizona county probation departments reported that current criminal statutes adequately address the street gang problem. They also indicated that the Arizona gang problem is either currently under control or can be controlled with current resources. Probation, like law enforcement, believes priority issues include interagency communication, education of the community, and intervention/prevention strategies for youths.

Probation agencies supervise gang members in a community setting in an effort to change criminal behaviors, but correction agencies supervise gang members within an institution on a very structured basis. The next section will emphasize the correction perspective of street gangs in Arizona.

## Corrections Perspective

Traditional prison gangs were formed in the late 1950's as a means for individuals to protect themselves from other groups within the institution. Traditional prison gangs in the United States include the Aryan Brotherhood, the Black Guerilla Family (BGF), La Nuestra Familia, the Mexican Mafia, Neta and the Texas Syndicate<sup>22</sup>. These gangs are found nationwide and are usually more prevalent in state correctional facilities than in federal institutions.

Federal correctional populations differ from state correctional populations because of the difference in crimes prosecuted between the federal and state levels. Federal inmates tend to be convicted of "organized" types of crime, such as fraud and racketeering, while state inmates are most often convicted for acts of violence, such as murder and aggravated assault. Research thus far has shown that most street gangs are not involved in organized criminal activity, but are involved in more violent acts of crime. Therefore, gang members are found more often in state correctional facilities.

In this section, three correctional agencies in Arizona will be examined for the purpose of showing similarities and differences in the way correctional agencies like the Federal Bureau of Prisons, the Arizona Department of Corrections and the Arizona Department of Juvenile Corrections handle security threat groups<sup>23</sup>/street gang members.

### **United States Department of Justice; Federal Bureau of Prisons; Federal Correctional Institution**

The Federal Correctional Institution (FCI) in Tucson, Arizona collects, disseminates and receives information and intelligence on security threat groups/street gangs. Although the agency does not participate in a multi-agency task force, they communicate with other criminal justice agencies by exchanging information/intelligence (as well as from outside sources).

In 1999, the Federal Correctional Institution reported 158 identified security threat group/street gang members housed within the Tucson facility. There is not a specialized unit dedicated to security threat groups/street gang issues at this time.

Of these security threat group/street gang members, most of the gangs affiliated with these individuals remain unidentified. As Table 4-1 shows, four out of five identified members are affiliated with an unknown gang.

**Table 4-1: Identified Security Threat Group/Street Gang Members 1999**

Security Threat Group/ Street Gangs	Number of Inmates Identified
Asian	2
Black	11
Border Brothers	15
Motorcycle	1
Other/Unknown	129
Total	158

"Organized"<sup>24</sup> criminal activity takes place among security threat group/street gang members inside the Federal Correctional Institution, and between members incarcerated and outside the institution. Examples of organized gang activity include inmate on inmate assault, attempted narcotic introduction, strong-arming<sup>25</sup>, gambling and planned attacks on officers.

Since the Federal Sentencing Commission abolished federal parole, inmates must be incarcerated for 80% of their sentence. Therefore, the Federal Correctional Institution does not maintain

<sup>22</sup> Prison gang information from "Gangs or US" web site maintained by gang Consultant Robert Walker at <http://www.gangsorus.com/gangs/gangprison.html#>

<sup>23</sup> "Security threat groups" is another term for "prison gangs."

<sup>24</sup> Organized as defined in the Handbook of Organized Crime in the United States Edited by Robert J. Kelly, Ko-Lin Chin and Rufus Schatzberg, "Organized crime means the unlawful activities of members of a highly organized, disciplined association."

<sup>25</sup> According to Federal Bureau of Prisons Officials 'strong-arming' is a term used to define "territorial" activities of gang members, such as property given to a member to watch a certain television channel and/or gang members claiming "territory" within the institution.



specialized caseloads or conditions for security threat group/street gang members released from incarceration. However, the FCI is concerned that local, state and federal agencies need to be notified when a STG/street gang member is released into the community. To this end, the FCI suggests that a state or nationwide database on STG/street gang members be created so that all local, state and federal agencies can access the information.

The security threat group/street gang problem is growing according to the Federal Correctional Institution, but they believe it can still be controlled with current resources. Additional recommended resources to control security threat groups include increased interagency communication, additional staff to monitor STG/street gang members, more staff training, increased staff awareness and the nationwide database discussed above. All of these resources are a priority for the Federal Correctional Institution in Tucson.

Federal prisons differ from state prisons because the crimes committed largely determine the level of adjudication. For example, federal institutions house individuals who have committed "organized" crimes such as bank robbery, embezzlement, IRS violations and kidnapping across state lines. State facilities house individuals who have been convicted of crimes such as murder, rape and aggravated assault. Street gang members do not usually commit 'organized' crimes, state facilities usually house a higher population of gang members than federal institutions. The remainder of this chapter will describe two state correctional facilities in Arizona and how they differ from federal agencies when working with security threat group/street gang issues.

### **Arizona Department of Corrections (ADC)**

The Arizona Department of Corrections is a state-level agency created "[t]o serve and protect the people of Arizona by imprisoning those offenders legally committed to the Department and by providing community based supervision for those conditionally released"<sup>26</sup>.

Upon incarceration with the Arizona Department of Corrections, inmates are identified for tracking purposes in order to determine street gang membership, whether the inmates will become threats to institutional security, or likely to coalesce in a security threat group. Gang intelligence information is collected from within the institution as well as from other criminal justice agencies or outside sources. In exchange, the ADC shares their information with other criminal justice entities. The ADC also has a working relationship with the Federal Bureau of Investigation on the operation and enforcement of security threat group/street gangs.

In 1999, the Arizona Department of Corrections used A.R.S. §13-105 and Corrections Department Order 806 to validate 422 gang members and suspect another 856 security threat group/street gang members for a total 1,278 documented members. In 1998, ADC tracked every inmate with gang-related associations, including: (1) inmates who have passed the Department's internally-developed qualitative review process designed to provide clear documentation confirming membership in a specific gang; (2) inmates who have displayed some gang-related behavior or other indicators, but have not yet passed the Department's validation criteria; and (3) inmates who have renounced gang membership, but are still tracked for gang association. Through this tracking system, a total of 6,982 inmates were identified as security threat group/street gang members. See Table 4-2. A specialized unit consisting of one supervisor and five special investigators worked in the Security Threat Group Unit in 1999 to focus on this population.

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<sup>26</sup> Mission statement of the Arizona Department of Corrections.

**Table 4-2: Recorded Security Threat Group/Street Gang Members**

Security Threat Groups	Total	
	1999	1998
Aryan Brotherhood	238	239
Black Gangs	N/A	165
Border Brothers	298	305
Grandel	228	205
La Raza	N/A	47
Mau Mau	184	167
Motorcycle	N/A	11
Native American	N/A	82
New Mexican Mafia	270	208
Old Mexican Mafia	60	53
Other	N/A	5,500
Total	1,278	6,982

Nationally, organized gang activity within the prison system is becoming more sophisticated than activity on the outside<sup>27</sup>. The Arizona Department of Corrections does experience 'organized' activity among inmate gang members and other gang members (either inside or outside the facility). Types of organized activity include drug-related activity, extortion, assault and homicide.

Community supervision at the state level does not include a specialized caseload for released security threat group/street gang members, but there are special conditions of release. Identified STG/street gang members may not associate with any other known STG/street gang member while under community supervision and must not do drugs, the first positive urine analysis immediately begins the revocation process. In 1999, approximately seven STG/street gang members had their supervision revoked for technical violations.

According to Arizona Department of Corrections, current Arizona criminal statutes adequately address the security threat group/street gang problem. However, the agency believes that the STG/street gang problem is growing and could be better controlled given additional resources. To this end, priorities for the ADC include staff/public safety awareness, inmate safety, institutional security, reduction of security threat group influence and reduction of STG related crimes.

Adult correctional facilities label prison gangs as 'security threat groups' because in a secured setting, for any extended length of time, gangs can pose a threat to the security of an institution. Juvenile correctional facilities, on the other hand, do not label street gang members as security threat groups because the length of stay in a juvenile correctional facility is usually only a few months, giving juveniles little opportunity to coalesce into security threat groups.

### **Arizona Department Of Juvenile Corrections (ADJC)**

The Arizona Department of Juvenile Corrections operates five facilities for youthful offenders: the Adobe Mountain Juvenile Facility, the Encanto Mental Health Facility, the Black Canyon Juvenile Facility, the Catalina Mountain Juvenile Facility, and the Southwest Regional Juvenile Corrections Complex. A total of 339 correctional officers are employed in these facilities.

Each facility collects information and intelligence on street gang members and/or security threat groups internally and externally. The information and intelligence on street gang members compiled by ADJC is shared with other criminal justice agencies. In addition, the Arizona Department of Juvenile Corrections participates in the Gang Intelligence and Team Enforcement Mission for information and intelligence gathering purposes. The ADJC often works with other criminal justice agencies with respect to gang intelligence and enforcement.

Every youth entering the Arizona Department of Juvenile Corrections has a full evaluation in the first 28 days. Individuals are identified according to A.R.S.§13-105 for gang membership; and if gang affiliation is determined pictures are taken of any tattoos or identifying marks associated with

<sup>27</sup> FBI Law Enforcement Bulletin Violent Crimes among Juveniles. "Focus on Corrections, Correctional Criminal Investigators, The New Cops on the Beat". June 2000.

the gang. Once street gang membership information is compiled, it is entered into a computerized system that tracks any future activity the individual is involved in during their stay at ADJC.

The Arizona Department of Juvenile Corrections tracks every reported incident occurring within the facilities using an Incident Report. Included in an Incident Report are the date, time, unit(s), juvenile name(s), juvenile number(s), gang affiliation(s) and a description of the incident. All Incident Reports are recorded, and full reports of gang activity are analyzed on a monthly and annual basis. Table 4-3 shows all reported gang activity for 1999 in the Adobe Mountain Facility.

**Table 4-3:1999 Gang Activity Report for Adobe Mountain**

	January	February	March	April	May	June	July	August	September	October	November	December	Total
Number of incidents	40	23	30	25	39	40	45	63	51	21	29	29	435
Staff assaults	0	2	1	0	0	10	1	11	9	4	3	3	44
Youth/youth assaults	13	9	6	12	21	27	32	37	36	16	21	19	249
Gang related verbal conflicts	5	3	5	3	3	3	7	3	0	6	8	5	51
Destruction state property/ graffiti	17	5	14	4	8	0	1	2	0	1	2	3	57
Promoting gang affiliation w/ clothing	0	1	1	1	0	0	0	0	0	0	0	0	3
Gang signs	5	0	0	1	3	1	2	1	1	0	1	1	16
Tattoos	0	0	2	3	4	1	1	0	0	0	0	0	11
Gang paraphernalia (drawing/writing)	0	2	2	2	1	1	1	0	0	0	0	0	9
Use of force	2	5	4	3	2	26	15	27	16	5	12	8	125
Other	0	*1	0	0	2	0	0	0	0	0	0	3	6
<b>Total</b>	<b>42</b>	<b>28</b>	<b>35</b>	<b>29</b>	<b>45</b>	<b>69</b>	<b>60</b>	<b>81</b>	<b>66</b>	<b>32</b>	<b>47</b>	<b>42</b>	<b>576</b>

- Totals are different due to entry in more than one category.
- In May 1999, "other" included manufacturing weapons.
- Several incidents fell under three categories: staff assault, youth-on-youth assault and use of force.

The names of every street gang and the number of members that claim to belong to the gang are tracked every month by the Arizona Department of Juvenile Corrections. Below is a list of gangs and their respective number of gang members in Adobe Mountain Facility for the month of December 1999.

- 10th Ave Projects (1)
- 13 St. Yuma Crips (1)
- 31st Ave Locos (1)
- 52nd Ave Grandel (2)
- 61st Ave Locos (1)
- 79 Swans Bloods (1)
- Avalon Gangster Crips(1)
- Barrio Chicano Locos (4)
- Barrio Sun Town Gangsters (1)
- Broadway Crips (1)
- Broadway Gangsters (6)
- Brotherhood Gangsters (1)
- Brown Pride (2)
- Cashion Park Locos (1)
- Chandler Varrio Locos (1)
- Crazy Latin Boys (1)
- Dogtown (1)
- Duppa Villa Projects Eastside (4)
- East Coast Crips (1)
- East Sunny Locas (1)
- Eastside 9th St (5)
- Eastside Bloods (1)
- Eastside Brown Pride (1)
- Eastside Chandler (3)
- Eastside Garfield (2)
- Eastside Guadalupe (4)
- Eastside La Familia (4)
- Eastside La Victoria Locos (3)
- Eastside LCM (4)
- Eastside Mesa Locos (2)
- Eastside Posse (3)
- Eastside WBP 21st St. (1)
- Eastside Wetback Power (1)
- Eastside Wetback Power 18thSt. (2)
- Eastside Wetback Power 8<sup>th</sup> St. (1)
- Edith St. Posse Bloods (1)
- Hayden Park Locos (1)
- Hilltop Gangsters (1)
- Hollywood (4)
- Hoover St. Crips (1)
- Kriminal of Society Klan Kosk (1)
- La Victoria Locos (3)
- Latin Kings (1)
- Libre (6)
- Lindo Park Crips (4)
- Little Town Crip Gang (1)
- Long Beach Crips (Bullhead City) (1)
- Los Marcos Homies (1)
- Manzanita Westside (1)
- Maryvale Crips (1)
- Maryvale Gangster Crips (1)
- Mexican Brown Pride (2)
- Mini Park Chicanos (1)
- Native Pride (1)
- New Baby Mafia (1)
- North VMU 8th St. Avondale (1)
- Northside 15th Ave. (1)
- Northside Avondale (1)

- Northside Phoenix (1)
- Projects (Tucson) (1)
- Rolling 60's Crips (1)
- S/S 46 Thugs (1)
- Satan's Disciples (1)
- Sex Jerks (3)
- Soma Yuma (1)
- South of Border (1)
- South Park Crips (1)
- South Park Family Gangsters (1)
- Southern Crips (1)
- Southside 10th Ave Tucson (1)
- Southside 12 Ave Crips (1)
- Southside 13 (3)
- Southside 35 Ave (4)
- Southside Avondale (1)
- Southside Broadway Gangsters (2)
- Southside Chandler (2)
- Southside Happy Homes (1)
- Southside Mesa (5)
- Southside Phoenix (1)
- Southside Posse Bloods (3)
- Southside Tucson (3)
- Southside Vista Bloods (1)
- Southside WBP 22<sup>ND</sup> (1)
- Street Smart Crew (1)
- Suing Family Gangsters (1)
- SUR 13 (7)
- To Kause Pain (1)
- Tollison Chicanos (1)
- Townhouse 48 St (1)
- Treetop Piru Bloods (1)
- Varrio 61st Street (2)
- Varrio Happy Home Locos (2)
- Varrio Hispanic Homeboys 6<sup>th</sup> Av. (5)
- Wedgewood (3)
- Westside 18th St. Shadow Park (1)
- Westside 4th St. Crips (1)
- Westside Brown Pride (3)
- Westside Chicanos (3)
- Westside City 10<sup>th</sup> Av. Boothill Crip (8)
- Westside City Crips (5)
- Westside Dangerous Crips (1)
- Westside Diamond (1)
- Westside Domestics (1)
- Westside Guadalupe (1)
- Westside Homies (5)
- Westside Kings (1)
- Westside Latinos (1)
- Westside Latinos (1)
- Westside Playboy Crips (2)
- Westside Posse (1)
- Wetback Power (6)
- Wetback Power 12th Ave (1)
- Wetback Power 31st Ave. (2)
- White Fence (1)
- White Supremacist (1)

In all, a total of 118 gangs were identified comprised of 221 gang members. A majority of the gang members identified in the juvenile facilities are involved in male multi-ethnic street gangs. ADJC explains that juvenile street gangs are usually differentiated by neighborhoods rather than ethnicity, which is opposite of the trend at the Arizona Department of Corrections. As shown in the list above, some street gangs are known by similar names, but may actually be a different faction. Examples include: Wetback Power, Wetback Power 12<sup>th</sup> Ave and Wetback Power 31<sup>st</sup> Ave. Youth who claim membership to the same named gang, but from different neighborhoods, may be rivals.

The Arizona Department of Juvenile Corrections does not maintain specialized caseloads for street gang members, but the housed individuals are placed in appropriate units as to not jeopardize his or her safety. The ADJC warrants unit, the Absconder Recovery Team, works in conjunction with GITEM on juveniles who have violated parole.

Almost half of the gang-related incidents reported are youth-on-youth assaults. In 1999 at Adobe Mountain, there were 249 youth-on-youth incidents and 44 staff assaults. ADJC staff report having some organized gang activity, but the extent of this activity is unknown. "Organized" gang activity among the juveniles often consists of fights, property damage and tattooing. Organized juvenile activity is limited for two reasons: (1) the average length of stay is only 7 months; and (2) the large number of diverse gangs does not allow for such organization.

The Arizona Department of Juvenile Corrections reports that street gang problems in their facilities are currently under control, and that current Arizona criminal statutes adequately address the gang problem. Areas that could increase this effectiveness include having computers linked with other agencies for information and intelligence purposes, and consistent identification of gang members across all agencies.

For some gang members prison is not an 'if' statement but a 'when' statement. Gang experts have documented gang members claiming that "when" they go to prison rather than "if" they go to prison. Most gang experts agree that gang membership usually derives from delinquency and that if we can reduce delinquency we can reduce our gang membership and inmate population. This effort has been focused into the formation of several task forces both by state agencies and local

agencies to combat the gang problem. The next section will highlight various task forces throughout Arizona.

## Arizona Task Forces

Within the last twenty years, criminal justice agencies in Arizona have developed multi-agency, multi-jurisdictional task forces to combat drug, gang and violent crime issues across the state. A task force can be funded in several ways, including the Edward Byrne State and Local Law Enforcement Formula Block Grant, state appropriations, drug fines and/or local funds matched by criminal justice agencies.

In this section, four criminal justice agencies will be examined to show the differences in the way task forces are developed and operate. The state task force, Gang Intelligence and Team Enforcement Mission (GITEM) was developed in 1994 as a way to handle the increasing gang problem in Arizona. The statewide multi-agency task force employs both Department of Public Safety Officers as well as county and municipal officers. The Western Maricopa County Narcotics/Gang Task Force is an urban county task force that was established in 1993 to focus on gang-related criminal activities and the sale/distribution of illegal drugs in western Maricopa County communities near the metro Phoenix area. In contrast, the Apache County Cooperative Enforcement Narcotics Team (ACCENT) originated in 1988 in rural Arizona to reduce drug abuse/drug trafficking and gang activity. Other agencies affiliated with task forces in Arizona are local law enforcement and/or tribal agencies, such as the Gila River Police Department, the third agency to be highlighted in this section.

### **Gang Intelligence and Team Enforcement Mission**

The Gang Intelligence and Team Enforcement Mission (GITEM), Arizona's statewide multi-agency task force has two major missions: to impact gang related criminal activity wherever it occurs in Arizona, and to increase awareness and skill in dealing with and documenting the existence of gangs and their members throughout the state.

The most important priorities of GITEM are to identify the key gangs in communities, evaluate their impact and develop procedures to eradicate the gang from the community. In the long run, GITEM aims to reduce violent gang related crime, graffiti and the number of unlawful weapons on the street. Specific activities and operations of the Gang Intelligence and Team Enforcement Mission include:

- Targeting known violent gang members for intensive investigations
- Conducting covert investigations and operations of known gang offenders
- Provide statewide gang training, education and intelligence to other agencies
- Participating in community graffiti abatement programs
- Publishing bulletins
- Assessing the threats of gangs in communities
- Responding to assistance requests from other agencies to help eradicate gangs
- Conducting event specific enforcement activities

The Task Force unites law enforcement and prosecution agencies on the federal, tribal, state, county and municipal levels. A coordinated, intelligence driven approach is taken in dealing with the gang situation and consists of a strong group of trained gang investigators. The following agencies either reported their participation in GITEM or were reported by the Department of Public Safety to participate in the task force:

- |                                     |                                    |
|-------------------------------------|------------------------------------|
| • Apache Junction Police Department | • Coconino County Sheriff's Office |
| • Apache County Sheriff's Office    | • Coolidge Police Department       |
| • Avondale Police Department        | • DEA/Sierra Vista                 |
| • Capitol Police Department         | • DEA/Tucson                       |
| • Benson Police Department          | • Douglas Police Department        |
| • Bullhead Police Department        | • El Mirage Police Department      |
| • Casa Grande Police Department     | • Eloy Police Department           |
| • Chandler Police Department        | • FBI/GITEM                        |
| • Cochise County Sheriff's Office   | • Flagstaff Police Department      |

- Florence Police Department
- Fountain Hills Marshal's Office
- Gilbert Police Department
- Glendale Police Department
- Holbrook Police Department
- Kingman Police Department
- Marana Police Department
- Mohave County Sheriff's Office
- NAU Police Department
- Navajo County Sheriff's Office
- Oro Valley Police Department
- Phoenix Police Department
- Pima County Attorney's Office
- Pima Community College
- Pinal County Sheriff's Office
- Pinetop-Lakeside Police
- San Luis Police Department
- Scottsdale Police Department
- Show Low Police Department
- Sierra Vista Police Department
- Somerton Police Department
- Surprise Police Department
- Tempe Police Department
- Tolleson Police Department
- University of Arizona Police Department
- Willcox Police Department
- Winslow Police Department
- Yuma County Sheriff's Office
- Yuma Police Department

Of those participating agencies, the following table (Table 5-1) represents the number of personnel devoted to GITEM.



**Table 5-1: Gang Intelligence and Team Enforcement Mission Personnel**

Position	Sworn/Civilian	Number of DPS Personnel	Number of Other Agencies Personnel
Commander	Sworn	1	0
Lieutenants	Sworn	2	0
Sergeants	Sworn	11	4
Budget Analyst	Civilian	1	0
Secretaries	Civilian	4	3
Officers	Sworn	35	39
Intelligence Analysts	Civilian	4	0
Dispatchers	Civilian	4	0
Intelligence Technicians	Civilian	4	0
Total		65	46

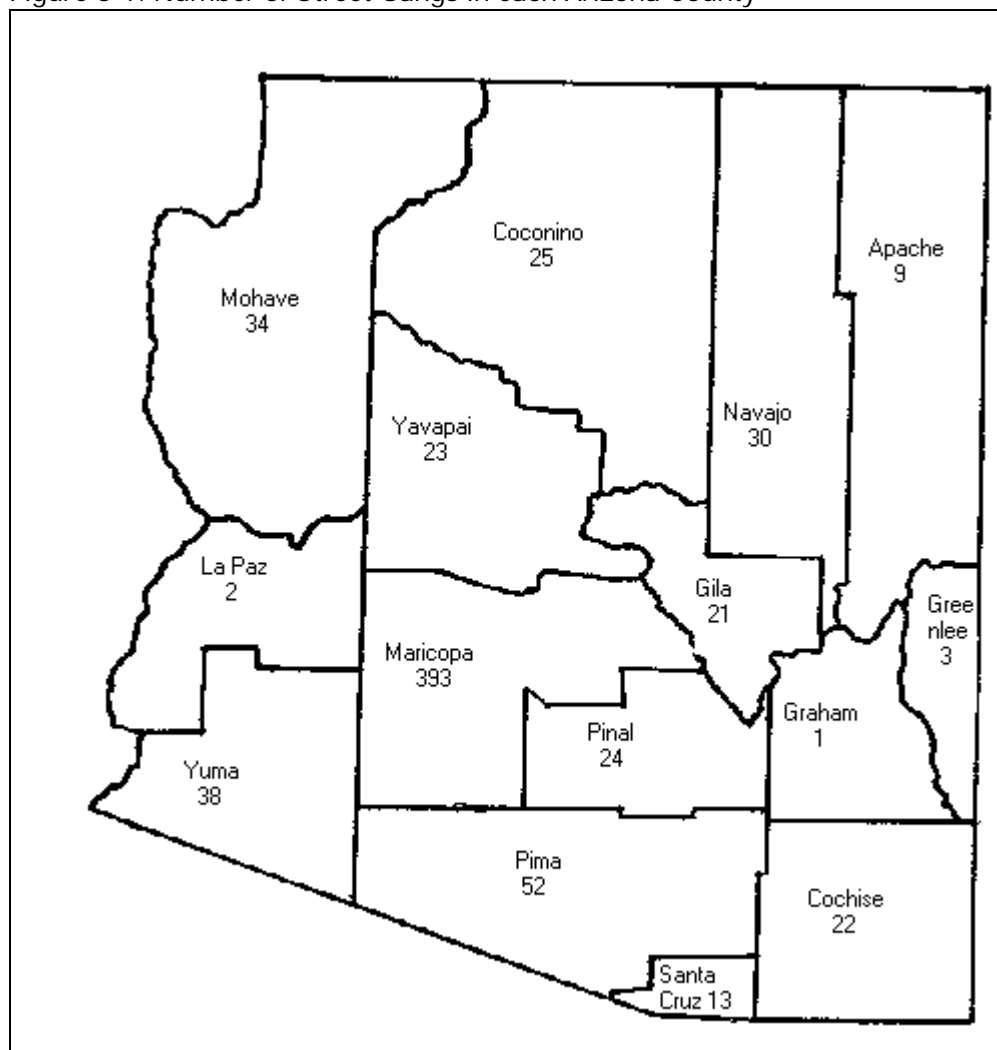
GITEM's efforts of gang intelligence and enforcement can be proven in the number of arrests made and assets and drugs seized. GITEM arrested 4,598 adults and 1,179 juveniles in 1999. 132 juveniles were cited for curfew violations. In addition to making arrests, GITEM made 130,483 community contacts and 12,136 field interrogations.

Assets and Drugs seized include:

- 371 Weapons
- 6 Vehicles
- \$2,200.00 in personal property
- \$47,000.00 in real property
- \$71,349.00 in currency
- 2,786 pounds of Marijuana
- 1.28 ounces of Heroin
- 745 hits of dangerous drugs
- 26 ounces of dangerous drugs
- 14 pounds of Cocaine
- 14.28 ounces of Crack/cocaine
- .03 ounces of Amphetamine
- 59.4 pounds of solid Methamphetamine
- .0013 gallons of liquid Methamphetamine

Every county may not participate on a regular basis, but GITEM has been able to identify gang sets in every county in Arizona. Figure 5-1 provides a map of Arizona counties with the number of gang sets identified in the county by GITEM.

Figure 5-1: Number of Street Gangs in each Arizona County



The Gang Intelligence and Team Enforcement Mission is the only state gang task force, but county, municipal and tribal agencies often work together to combat the gang problem. The following section will highlight a multi-agency county task force working to combat the gang problem in the most populated county in Arizona.

### **Western Maricopa County Narcotics/Gang Task Force**

The goal of the Western Maricopa County Narcotics/Gang Task Force is to reduce gang involvement in criminal activities and reduce the sale, distribution and use of illegal drugs. An equal amount of time is devoted to both of these efforts. The task force is administered through the Maricopa County Sheriff's Office and includes officers from the Avondale, El Mirage, Goodyear, Surprise, and Tolleson Police Departments in addition to the Arizona National Guard. In the event of a special detail, the Western Maricopa County Narcotics/Gang Task Force may also work with other task forces, such as the Gang Intelligence and Team Enforcement Mission (GITEM).

The Western Maricopa Task Force was established in 1993. Throughout its history, gang members and gang-related activities have changed over the years. In an interview, the commander of the Western Maricopa Task Force reported that gangs, such as the Bloods and the Crips, are less of a threat now than they were in the 1980s. While gangs in Maricopa County have often developed from West Coast parent gangs, particularly the Los Angeles area, several gangs have locally evolved. A current trend the Task Force reports seeing is an increase in the number of multi-ethnic and Native American gangs.

Within the last few years, the Task Force has reported that the identification of gang members has become increasingly difficult. Just a few years ago, gang members would wear identifying clothing or paraphernalia and throw gang signs in an effort to be noticed, but now the gang members are aware of the increased punishments associated with being identified as a gang member and are less willing to show their membership. (It has also been reported that A.R.S. §13-105 has contributed to a decrease in gang graffiti.)

Drug trafficking is not viewed as a major criminal activity among street gangs (excluding motorcycle gangs) because most of the drugs confiscated from gang members are in personal amounts. In 1998, 12 gang members were arrested for drug related crimes, while a total of 141 gang members were arrested for non-drug related crimes. In 1999, nine gang members were arrested by the Western Maricopa County Task Force for drug related crimes, while a total of 83 gang members were arrested for crimes not involving drugs.

Gang members are increasingly mobile. The Task Force reports that gangs are more likely today to drive to other jurisdictions for the purpose of confronting other gangs. For example, gangs from El Mirage have been found 'joy riding' in Mesa. This increased mobility has also necessitated enforcement in schools on several occasions. For example, it has been requested that the Task Force attend Gila Bend High School football games to make sure visiting gang members do not create any disturbances. Even schools on the county's Native American Reservations have asked the Task Force to provide enforcement on their grounds.

The work of the Western Maricopa County Task Force is different from other task forces because they focus their resources on gang activities in the most populated county in the Arizona. The following section will now examine how a rural county task force, with a comparable land size of Maricopa County, deals with the drug and gang problem in their area.

## **Apache County Sheriff's Office**

Although Apache County is not densely populated, officers at the Apache County Sheriff's Office are deeply involved in statewide gang enforcement efforts. A county-level drug, gang and violent crime task force called ACCENT (Apache County Cooperative Enforcement Narcotics Team) has been in effect since 1988. ACCENT is primarily a narcotics task force that works in tandem with GITEM on many gang-related investigations. This small, formally organized multi-jurisdictional, multi-agency narcotics task force is comprised of local law enforcement officers who work in conjunction with a full-time drug case prosecutor.

Task Force goals are to identify, arrest and prosecute drug traffickers, and seize drugs and forfeitable assets. In addition to Apache County Sheriff's Office deputies and administration, other participants in the ACCENT Task Force include the St. Johns, Springerville and Eagar Police Departments, Arizona Department of Public Safety, Navajo Nation Police Department and Apache County Attorney's Office. The Apache County Sheriff's Office also has an active member serving on GITEM.

Gangs in Apache County have not evolved in the same way as street gangs in Maricopa County. In contrast, the Apache County Sheriff's Office reports that most Apache County gangs developed through the relocation of Chicago gang members and have been influenced by Chicago based gangs. Gangs and gang activity in this area have an East Coast, Midwest influence atypical to the rest of Arizona, with its large West Coast (particularly Los Angeles) influence.

Neighboring Apache County is Navajo County, where there have been gangs comprised of three generations of family gang members. These older gangs show evidence of a paramilitary hierarchy system. The gangs have certain criteria that must be met before a person can move up the ranks to a position of governor and/or lieutenant. The leaders of these gangs, usually called "OGs" (original gangsters) or "Veteranos," are older gang members who have often been to prison, where they joined a security threat group and then returned to continue their gang activities.

The two most prominent Apache County gangs are the Cobras and the Dragons, which are rival gangs. These gangs focus heavily on influencing and recruiting young members. These organizations are often successful because they provide a sense of belonging that youth need in their lives and are seeking. Both gangs are based out of the Navajo Nation capitol of Window Rock. To make it more difficult for law enforcement to identify these youth as gang members, the Cobras and the Dragons will claim gang membership by "*representing*" their gang to show more respect to the gang. Another way confusion in gang identification is created is the additional reference to Cobra gang members as "folks" and Dragon gang members as "people".

People and folk gangs began in the 1980s in the Illinois prison system. At that time, the Illinois prison system had an overabundance of individual gang members who were not formally part of a gang or were affiliated with a small gang. These gang members combined together and eventually developed two nations within the prison system: the People Nation and the Folk Nation. Street gangs on the outside followed suit, so that eventually gangs and alliances had formed with one of the two nations. While these gangs are allied with a People or Folk Nation, they are still organized in and of themselves.

Statewide, Arizona has witnessed an increase in Native American gangs and gang members, and few areas have seen this increase as well as Apache County. A portion of the Navajo Nation, which is the largest Native American Nation in the United States, lies in Apache County and accounts for about two-thirds of the county's land. Because this is so, there are sovereignty issues that make law enforcement more difficult for the area task forces and cause their crime data to be skewed.

Given this problem, the Apache County Sheriff's Office reports that approximately 3,000 Native American undocumented gang members currently inhabit the county. However, the Apache County Sheriff's Office has no governing authority over the crimes committed on the reservation or by crimes committed by Native Americans off the reservation and then return to the reservation. It was the opinion of one Apache County Sheriff's Department officer that Native American gang membership has increased because the structure of a gang is similar to the structure of a clan within the Native American tradition. The Apache County Sheriff's Office reported that in 1998 the Navajo Nation had 37 homicides, and in 1999 the Navajo Nation reported 15 homicides and 3,542 aggravated assaults. Whether the Navajo Nation incidents involved gang members is unknown, because the Navajo Nation does not have specific laws dealing with gang related activity.

Native American gangs are different from gangs in metropolitan areas because they often dress the part, are willing to show their colors, act out to be noticed and are willing to throw gang signs to show their identification as a gang member. This is unlike the gang members of metropolitan areas who do not engage in these behaviors for fear of being documented and facing enhanced prosecution<sup>28</sup>. This difference may be due to the fact that Native American gangs are generally younger than urban gangs.

The gang violence in Apache County is different from the urban areas of Arizona. In Apache County, violent acts not involving a gun are often reported as gang-related activities, such as beating a person to death with a rock. Guns and weapons are making their way into Apache County, but non-traditional forms of assault are more prevalent at this time. According to the Apache County Sheriff's Office, most violent gang members resort to violence to prove themselves to the gang or to show rival gangs that their gang is superior. For example, there are two rival Crip sets in Apache County that fight each other to prove one gang is superior to the other.

Due to Apache County's strategic placement along the New Mexico state line and its accessibility from other areas via Interstate 40, the county often experiences inter- and intrastate alliances among gangs. For example, gangs in Apache County have been linked to gangs in Bullhead City, Arizona; Laughlin, Nevada; Las Vegas, Nevada; Gallup, New Mexico and Albuquerque, New Mexico. These associations can be derived from gang names, and their bonds are enforced through participation in drug offenses.

Most of the time, individuals arrested in Apache County are criminals affiliated with gangs, according to Apache County Sheriff's Office. Officials in Apache County believe that the crimes committed by gang members are not committed for the benefit of the entire gang but rather for personal gain. In the later half of 1999, ACCENT made seven arrests for drug offenses in which the arrested individual was a gang member.

Both the Western Maricopa County Narcotics/Gang Task Force and ACCENT are well-established and well-funded county task forces. Conversely, the next section will highlight the Gila River Police Department, which is different from the two task forces described because it is a newly established local police department taking their first steps toward solving gang problems in their jurisdiction.

### **Gila River Police Department**

In 1998, the Gila River Police Department was established as an independent tribal law enforcement agency not affiliated with the Federal Bureau of Indian Affairs. At present, approximately 40 officers cover 600 square miles of reservation land. The Gila River Police Department has recognized the beginnings of a gang problem and to be proactive, began working to revise the children's code by including elements similar to A.R.S. §13-105.

Their long-term goal is to form a gang task force once they have the resources, but in the meantime they have begun collecting information and intelligence on gang-related incidents and members. (Because gangs often travel through adjacent jurisdictions, outside information and intelligence is collected from the Chandler, Casa Grande, Coolidge and Phoenix Police Departments.) In addition, some Gila River Police Department officers have attended the State Gang Task Force school.

The Gila River Police Department reports that their gang problem stems from outside influences and from youth putting their Native American culture aside. They describe their gang population as dysfunctional because most of the members are "wannabe's" with very little organizational structure. The Native American youth mimic other gangs in the area (such as Chandler, Casa Grande and Coolidge gangs) by claiming the same gang name but having no affiliation with the original gang.

The Gila River Police Department reported some interesting trends in their street gang population. For example, it is common for brothers, fathers and sons from the same family to join rival gangs rather than the same gang. Similarly to the origins of the People and Folk Nations described earlier, the increase of gangs in the Gila River area are due in part to the number of individuals who are now joining together to form gangs. Another reason the number of gangs is increasing in this area is due to increased awareness. The Gila River Police Department reported that once

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<sup>28</sup> A possibility for this difference is that jurisdictional issues do not allow gang members on the Navajo Nation and other reservations to be subject to the severe penalties that gang members off the reservation are subject to.

officers attend the state gang task force school, they are much more aware of gang-related behaviors on the reservation.

Most of the gangs on the reservation are Native American, however, there are non-reservation gang members who commit graffiti crime on the reservation. The increased movement of street gangs through the reservation has led to a working relationship between the Gila River and Chandler Police Departments to combat both Native and non-Native American gang activities on and off the reservation.

The most common crime among citizens of the Native American Community, whether or not they are gang members, is assault. The Gila River community is similar to Apache County in that the majority of gang-related assaults involve physical confrontation rather than the use of guns. Stealing cars for joy riding purposes and drive-by shootings are crimes that have also increased among the Gila River gang population. The Gila River Police Department reports that most gang-related crimes are spontaneous acts committed by drunken offenders. The police department also reports that increases in drive-by shootings are a result of gang members targeting other gang members.

Due to limited staffing, the Gila River Police Department does not have a specialized unit or detective division focusing on street gang activity, but the agency hopes to form one by December 2000. The Gila River Police Department is also interested in forming alliances with other police departments, especially those that border their Nation.

Gang activity reaches almost every part of Arizona. Within the areas affected by this activity, there are many similarities and differences between these behaviors. In sum,

- Rural areas have reported that gang members often commit violent acts without the use of a firearm, while the use of firearms is more common in urban Maricopa County.
- Gang members not living in reservation areas are clearly aware of the increased penalties associated with being a street gang member and behave accordingly to avoid those penalties.
- Gangs in Arizona do not necessarily evolve in the same ways. Some areas have been affected by West Coast influences, while other areas in Arizona emulate Chicago gangs.
- The tendency to align with other jurisdictions to reduce gang activity is strong. Intergovernmental cooperation among criminal justice agencies is common and encouraged.

Gang task forces are predominately community based and they interact with people in society. Task forces have participated in schools to educate teachers and students on gangs. However, schools contain the population of individuals most likely to be at risk of joining a gang: young people. Therefore, a perspective on what students think and know about gangs can be a good instrument in evaluating street gang in Arizona. The following section highlights questions asked of students in the 1999 Substance Abuse survey about gangs and gang activity.

## Public School Students and Gangs

As has been reported throughout this report, gang-related activities often begin while children are still in their pre-teen to teenage years. For this reason, an examination of gang membership among public school students has been conducted for several years by Arizona Criminal Justice Commission staff.

For about a decade, the Arizona Criminal Justice Commission has been collecting questionnaire data on street gang membership among public school students. The study is administered to a representative statewide sample of students biennially on odd years. Although students in elementary, junior high (middle) school and high school take part in the survey, the results presented here are only those of junior high and high school students.

In 1999, the survey asked students factual questions, including questions about whether a student personally knew any gang members, if the student belonged to a gang and if there were any gang members in the student's family, school or neighborhood. In addition, more subjective questions were asked, including what the student believes is the most frequent illegal activity done by gang members; and in their opinion, how frequently gangs or gang members sell drugs.

### Gang Membership among Public School Students

To gauge how many students were either involved with or interested in joining gangs, students in grades six through twelve participating in the survey were asked if they were in a gang. Of the students who responded to the question,

- 87.7% reported they did not belong to a gang
- 2.9% reported they did not belong to a gang, but would like to
- 5.4% said they did belong to a gang, and
- 1.1% said they did belong, but would like to get out.

In all, a total of 6.5% students claimed gang membership.

Compared to the 1997 Substance Abuse survey results, the percent of students in gangs have basically remained unchanged. In 1997, 88.9% of students reported they did not belong to a gang; 2.6% reported they did not belong to a gang, but would like to; 6.0% reported they did belong to a gang; and 1.3% said they did belong to a gang, but wanted to get out.

The *National Longitudinal Survey of Youth* report (1997) surveyed a nationwide sample of students between 12-16 years of age about gang membership. In this national sample, 5% of students claimed they belonged to a gang<sup>29</sup>. Of the sampled Arizona students between 12-16 years of age, 5.5% of students reported they were in a gang. Therefore, Arizona is almost identical to the national average on gang membership among this age group. As mentioned earlier, gang membership of the whole Arizona population is less than one percent, therefore children ages 12-16 are more likely to be gang members than the rest of the population.

### Characteristics of Gang Members

When comparing gang members to the general public school student population, some distinguishing characteristics can be found. This section will focus on these changes, including:

- Gang membership does not change greatly as students complete grades six through twelve.
- White students are less likely to report they belong to a gang than non-white students.
- On average, gang members make lower grades than public school students do.
- Gang members are almost five times more likely to have a full-time job than all students combined.

### Gang Membership by Grade Level

In general, in terms of the entire school population, gang membership does not change very significantly between middle school and high school. According to the students surveyed, the highest percentage of students who are gang members are in the sixth grade.

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<sup>29</sup> United States Department of Justice; Office of Justice Programs; Office of Juvenile Justice and Delinquency Prevention (1999). *Juvenile Offenders and Victims: 1999 National Report*.

However, these differences can be more readily seen when focusing only on gang members. The decrease between sixth and twelfth grade gang membership drops by only 2.5 percentage points. In terms of real numbers, this is an overall decrease of 30%, meaning two out of three students who were in a gang in the sixth grade will be expected to be both in a gang and enrolled in the twelfth grade (or one out of three students will not be in a gang).



**Table 6-1: Gang Membership by Grade Level**

	Sixth Grade	Seventh Grade	Eighth Grade	Ninth Grade	Tenth Grade	Eleventh Grade	Twelfth Grade
Not interested in joining a gang	88.6%	89.3%	88.0%	90.1%	92.5%	92.7%	91.9%
Would like to join a gang	3.2%	3.7%	4.2%	3.0%	1.8%	1.6%	2.3%
In a gang	6.0%	5.3%	6.7%	5.8%	4.7%	5.0%	5.3%
In a gang, but would like to get out	2.2%	1.6%	1.1%	1.2%	1.0%	0.7%	0.4%
<b>TOTAL GANG MEMBERS</b>	<b>*8.2%</b>	<b>*6.9%</b>	<b>*7.8%</b>	<b>*7.0%</b>	<b>*5.7%</b>	<b>*5.7%</b>	<b>*5.7%</b>

\*These numbers do not account for students that drop out of school between the sixth and twelfth grades.

### Gang Membership and Race

According to the data collected on public school students, there is a relationship between race and gang membership. The middle column in Table 2 shows the racial breakdown of all students who participated in the survey. From this information, it can be seen that most students reported their race as white, followed closely by Hispanic. Lastly, about one-fifth of students reported they were of a race/ethnicity other than white or Hispanic.

The column to the far right in Table 6-2 is the racial breakdown of students *who reported they were in a gang*. In comparison to all public school students, gang members are disproportionate to the rest of the population. Fewer white students reported they were in a gang, Hispanic students reported gang membership participation similar to their representation in the general population and students of all other races reported a higher level of gang membership.

**Table 6-2: Race by Gang Membership**

	Public School Students	Gang Members
White (not Hispanic)	44.3%	21.1%
Hispanic	33.9%	38.1%
Other	21.8%	40.8%

### Gang Member Educational Achievement

There are differences in the educational achievement of gang members and the general public school student population. Most students report they make some combination of A's and B's, but most gang members report their grades range from C's to F's. Table 6-3 shows that students reported they earn mostly A's and B's in school most often (29.2%). However, "B's and C's" was the category best describing the grades of self-reported gang members.

**Table 6-3: Grade Comparison between Gang Members and All Students**

	All Students	Gang Members
A'S	15.7%	11.2%
A'S and B's	29.2%	16.8%
B's	9.9%	8.5%
B's and C's	23.4%	21.9%
C's	6.9%	8.5%
C's and D's	9.0%	13.1%
D's and F's	5.9%	20.0%

### Employment Among Gang Members

Gang members are much more likely to work than the general public school student population. In 1999, 69.2% of students reported they did not work; for gang members that figure was 57.0%, as can be seen in Table 6-4. One significant difference between employment among these two groups

is the percent of gang members (12.1%) who reported they worked more than 40 hours per week in comparison to all students (2.6%). This difference makes gang members almost five times more likely to have a full-time job than all students combined<sup>30</sup>.

**Table 6-4: Employment Comparison between Gang Members and All Students**

	All Students	Gang Members
Do Not Have a Job	69.2%	57.0%
Work <20 Hours a Week	15.5%	16.3%
Work 20-30 Hours a Week	9.2%	9.8%
Work 30-40 Hours a Week	3.5%	4.7%
Work >40 Hours a Week	2.6%	12.1%

### **Awareness of Gang Members**

Half of all Arizona students reported they knew someone who was a gang member. Included in this statistic are the 19.3% of students reporting they had a gang member in their family, 30.5% who knew a gang member in their neighborhood and 45.2% who knew a gang member in their school<sup>31</sup>. Of national sample of students, 28% reported the presence of gangs in their school<sup>32</sup>. Arizona students report a greater awareness of the presence of gang members in their schools than students nationally.

### **Threatening Activity on School Property**

Gang members are much more likely to exhibit threatening behaviors on school property than are other public school students. In some instances, these differences are quite large. As can be seen in Table 6-5, almost one in five gang members reported they had been in twelve or more physical fights on school property in the last year; and for all public school students this figure was 2.5%.

**Table 6-5: Threatening Activity on School Property**

Activity	All Students	Gang Members
Brought a Weapon to School (six or more days in a month)	4.2%	23.7%
Injured with a Weapon on School Property in the Last Year	2.2%	13.7%
Knew Someone who Brought a Weapon to School (in the last month)	29.7%	60.2%
Twelve or More Physical Fights on School Property in the Last Year	2.5%	17.7%
Threatened with a Weapon on School Property 12 or More Times in the Last Year	2.2%	13.7%

It can be concluded that gang members are:

- Six times more likely to have brought a weapon to school six or more days in a month.
- Six times more likely to have been injured with a weapon on school property.
- Twice as likely to know someone who has brought a weapon to school in the last month.
- Seven times more likely to have been involved in twelve or more physical fights on school property within a year.
- Six times more likely to have been threatened with a weapon on school property within a year.

<sup>30</sup> Type of work is not specified in the survey.

<sup>31</sup> These figures add up to more than 50% because a student can know a gang member(s) in their family and/or a gang member(s) in their neighborhood and/or a gang member(s) at school.

<sup>32</sup> United States Department of Justice; Office of Justice Programs; Office of Juvenile Justice and Delinquency Prevention (1999). *Juvenile Offenders and Victims: 1999 National Report*.

## **Illegal Activity among Gang Members in Public School**

When secondary school students were asked what they thought the most frequent illegal activity done by gang members was, 26.4% of students reported it was vandalism, and 16.1% reported it was violent activities. However, when gang members responded to the same question, they were much more likely to report no activity. See Table 6-6 to review gang member perceptions about illegal activity.

**Table 6-6: View between Students and Gang Members of Illegal Activity of Gang Members**

	<b>All Students</b>	<b>Gang Members</b>
Drug Sales	7.3%	8.0%
Drug Use/Possession	15.5%	12.3%
None	12.9%	20.8%
Other	9.7%	16.4%
Threats & Intimidation	7.8%	4.6%
Stealing	4.3%	5.4%
Vandalism	26.4%	17.1%
Violent Acts	16.1%	15.4%

The general student population seems to have underestimated the frequency of drug sales among gang members. When students were asked how frequently they thought gang members sold drugs, 21.6% believed gang members sell drugs *every day*. This figure is almost half what was reported by gang members (40.0%). An additional 14.4% of students reported gang members sell drugs *almost* everyday, which is slightly lower than the 18.3% of gang members who report selling drugs *almost* everyday.

## **Gang Members and Drug Use**

Overall, drug use among gang members is much higher than drug use among the general student population. Table 6-7 shows that gang members are twice as likely to have reported use of marijuana than all public school students combined.

However, the substances reported most used by the general school population are also most used by gang members, although they are much more prevalent among gang members. For gang members and all students alike, the most prevalent substance reported was alcohol, with close to 90% of all gang members having used alcohol at one point in their life.

**Table 6-7: Public School Student and Gang Member Substance Abuse**

	All Students	Gang Members	Probability of Gang Member's Use in Comparison to All Students
Cigarettes	51.4%	81.8%	1.6 times more likely
Smokeless Tobacco	15.7%	35.2%	2 times more likely
Alcohol	64.0%	89.9%	About as likely
Marijuana	36.1%	74.7%	2 times more likely
Cocaine	9.8%	41.2%	4 times more likely
Meth/Amphetamine	8.9%	30.6%	3 times more likely
Depressants	7.4%	28.6%	4 times more likely
Inhalants	19.6%	54.5%	3 times more likely
Hallucinogens	12.3%	40.0%	3 times more likely
Narcotics	7.5%	31.1%	1.6 times more likely
Steroids	4.0%	20.1%	5 times more likely

Gang members do not behave in the same manner as students who are not gang members. In general, gang members do not perform as well in school, report higher rates of employment and substance abuse, and are much more likely to be involved in threatening and/or violent behaviors. These behaviors are significantly more common among gang members than in the general student population.



## Conclusion

The results of this study demonstrate that agencies across the criminal justice spectrum generally agree on certain issues that will increase their effectiveness in handling street gang issues. Statewide, criminal justice agencies reported a need for increased interagency communication, increased community education and increased prevention/intervention strategies.

While the details still need to be addressed with all Arizona criminal justice agencies, agency communication emphasizing cross-jurisdictional and cross-agency relations are needed to increase the exchange of information and assistance with neighboring agencies. This exchange will help to provide agencies with the information they need to solve a case, find a probationer or notify a victim. Community education to increase awareness of street gangs and their activities can serve as a forum for communication between parents and their children. Strategies and intervention alternatives can prevent youth from joining gangs, or help them to get out of a gang if already involved in one.

Many of these solutions are attainable. Interagency communication can be implemented almost immediately as long as agencies agree what information should/should not be shared. Community education will increase citizens understanding of gangs, and could positively impact arrest and prosecution rates. Continued and additional prevention/intervention efforts will maintain the relatively low ratio of gang members to the general population.

The well being of young people is key to the stable future of Arizona. To prevent children from turning to gangs for the attention and a sense of belonging, parents, schools and communities have to work together to create positive futures for youths.

An assessment of the needs reported by criminal justice agencies in this report is being planned. Discussions groups will be conducted in an effort to find solutions to the needs of the criminal justice system to deal more effectively with street gang activities. These changes will allow the criminal justice system to become better coordinated for a better Arizona community.



## Acknowledgements

The Arizona Criminal Justice Commission would like to thank all of the law enforcement, prosecution, probation and correctional agencies that took the time to participate in the surveys. The effort to provide such information is greatly appreciated.

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- Lieutenant Elmar Cobos, Arizona Department of Juvenile Corrections
- Ed Feingold, Analyst Coordinator, Arizona Department of Public Safety
- Captain Armando Gomez, Arizona Department of Juvenile Corrections
- Captain Wes Grant, Arizona Department of Juvenile Corrections
- Officer Joaquin E. Manuel, Gila River Police Department
- Lieutenant Jamie McGuffin, Arizona Department of Public Safety
- Steve Meissner, Public Information Officer, Arizona Department of Juvenile Corrections
- Commander Mike Orose, Arizona Department of Public Safety
- Commander Mark Phelps, Arizona Department of Juvenile Corrections
- Captain Rich Rosky, Maricopa County Sheriff's Office
- John Smith, Analyst Coordinator, Arizona Department of Public Safety
- Lieutenant Andrew Tafoya, Apache County Sheriff's Office
- Sergeant Andy Vasquez, Arizona Department of Public Safety





## **Appendices**

### **Appendix A: Maricopa County Superior Court Addendum to Conditions of Probation**

SID # AZ

## ADDENDUM TO CONDITIONS OF PROBATION

☐ a. Domestic Violence

1. Do not initiate or maintain telephone, correspondence, personal or third party victim contact without prior written approval of the Court or probation officer. Do not enter into the premises, travel past or loiter near where the victim resides or works.
2. Avoid all contact with the victim's family unless approved by probation officer.
3. Abide by all Court restrictions, orders of protection, directives, divorce decrees and/or visitation conditions.
4. Actively participate in and successfully complete domestic violence counseling as directed by probation officer.
5. Abide by all treatment program rules, conditions, requirements, and payment of any fees.
6. Authorize therapist to disclose to the Court and probation department information about your attendance and progress in treatment.
7. Immediately report any unapproved contact initiated by the victim to probation officer.
8. Immediately report the service of any court documents, divorce and/or visitation conditions to probation officer.
9. Abide by any curfew imposed by probation officer.

☐ b. Gang

1. Carry Arizona Driver's License or Arizona I.D. Card with imprinted photograph and exhibit it to any law enforcement officer when identification is requested.
2. Submit to search and seizure of person or property by any peace or probation officer with or without a search warrant.
3. Establish residence at a place approved by probation officer. Do not live with anyone without prior approval of probation officer.
4. Do not appear in Court or at any Courthouse unless required by a court order or approved by probation officer.
5. Do not visit any school grounds unless registered as a student at the school.
6. Do not associate with any criminal street gang members or other individuals as specified by probation officer.
7. Do not visit any known criminal street gang gathering areas or other locations as specified by probation officer.
8. Do not display criminal street gang signs or gestures.
9. Do not wear, display, use, produce or possess any criminal street gang related clothing or paraphernalia.
10. Do not possess graffiti in any form. Do not possess or maintain paints, aerosol spray cans, pens, etching devices or other instruments used to apply graffiti.
11. Do not obtain any tattoos without prior approval of probation officer.
12. Abide by any curfew imposed by probation officer.

☐ c. Illegal Alien

1. Not remain in or return to the United States illegally. When the probation department receives notification from IHS that the defendant is deported or processed through voluntary departure, all conditions of probation except terms I, II, are suspended while the defendant remains outside the United States.

☐ d. Interstate Compact ☐ Be considered for transfer ☐ Be authorized to proceed

1. To the state of \_\_\_\_\_, alter applying for Interstate Compact supervision and, if accepted, abide by all rules and regulations of the program.
2. Pay \$300.00 Interstate Compact Processing & Application Fee at time of application.
3. Probation service fees shall be waived until further order of the Court.

☐ e. Mental Health

1. Reside in a place as approved by the probation officer. Do not move from residence without the prior written approval of the probation officer.
2. Actively participate and cooperate in residential or outpatient mental health and/or dual diagnosis program(s), including all screenings, at the discretion of the probation officer.
3. Take medication as prescribed and report any changes in medication to probation officer.
4. Follow instructions of treatment staff.
5. Submit to blood level checks as instructed by treatment staff or probation officer.
6. As to term #11, substance abuse treatment can include restriction to residence for the purpose of relapse monitoring at the direction of the probation officer.

☐ f. Sex Offender

1. Do not initiate, establish or maintain contact with any male or female child under the age of 18, including relatives, or attempt to do so, without the prior written approval of the probation officer. Sign and abide by the probation department definition of "in contact."
2. No contact with victim(s) without prior written approval of probation officer.
3. Do not go to or loiter near schools, school yards, parks, playgrounds, arcades, swimming pools or other places primarily used by children under the age of 18, or as deemed inappropriate by probation officer, and without the prior written approval of probation officer.
4. Do not date, socialize, or enter into a sexual relationship with any person who has children under the age of 18 without the prior written approval of probation officer.
5. At the direction of the probation officer, attend, actively participate, and remain in sex offender treatment. Authorize therapists to disclose to the Court and the probation department information about your progress in treatment.
6. Submit to any program of psychological or physiological assessment at the direction of probation officer, including, but not limited to, the penile plethysmograph and/or the polygraph, to assist in treatment, planning and case monitoring.
7. Abide by all current Arizona law requiring the registration and DNA testing of sex offenders.
8. Residence, employment, and education, including any temporary changes, must have the advanced written approval of the probation officer.
9. Do not travel outside Maricopa County without the advanced written approval of the probation officer.
10. Abide by any curfew imposed by probation officer.
11. Do not possess any sexually stimulating or sexually oriented material, in any form, without the prior written approval of the probation officer, or patronize any adults-only establishment where such material or entertainment is available.
12. Do not possess children's clothing, toys, games, videos, etc. without prior written approval of probation staff.
13. Be responsible for your appearance, including the wearing of undergarments and clothing in locations where another person might see you.
14. Do not hitchhike or pick up hitchhikers.
15. Do not operate a motor vehicle without prior written approval of probation officer.
16. Prior written approval must be granted before the utilization of any computer equipment or Internet access; if granted, Maricopa County Adult Probation computer usage guidelines must be followed.

☐ g. White Collar

1. Do not incur any additional business or personal financial obligations and/or encumbrances without the prior written approval of the probation officer.
2. Submit to a review of all accounting records, procedures, and internal controls as directed by probation officer.
3. Sign release of information forms for all banking, savings, and investment accounts, as well as releases for State and Federal income tax returns and/or any other financial information as requested by probation officer.
4. Submit copies of State and Federal tax returns, or extension requests, at time of filing.
5. Do not open any checking, savings, investment, or retirement accounts without the prior written approval of the probation officer.
6. Provide proof of all household income and expenses as directed by probation officer.
7. Make a monthly payment toward restitution equal to a minimum of 10% of the gross monthly household income.
8. Notify employer of this conviction as instructed by the probation officer.
9. Do not gamble without permission of the probation officer.

☐ h. Drug Court

1. Participate, cooperate in, and successfully complete the Drug Court Program.
2. Be incarcerated in the Maricopa County Jail for 60 days as specified at a future hearing.
3. a. Pay \$20.00 Program Entry Fee within one week of program entry.  
b. Pay \$15.00 Weekly Treatment Fee during each week in program.
4. Standard Condition #12 (PSI) is deferred pending a future hearing.

☐ i. DUI Court

1. Participate, cooperate in, and successfully complete the DUI Court Program.
2. Be incarcerated in the Maricopa County Jail for 60 days as specified at a future hearing.
3. Complete up to 100 hours of community service work as specified at a future hearing.
4. Pay for the cost of your substance abuse treatment and education.
5. Standard Condition #12 (other than restitution) is deferred pending a future hearing.

DEFENDANT

DATE

JUDGE OF THE SUPERIOR COURT

DATE

1100-212 (R 10-99)

COURT FILE

**Appendix B: Pima County Superior Court Special Conditions of Probation for Gang Members**

THE SUPERIOR COURT PROBATION DEPARTMENT OF PIMA COUNTY  
SPECIAL CONDITIONS OF PROBATION FOR GANG MEMBERS

Defendant \_\_\_\_\_

CR \_\_\_\_\_

1. You shall have on your person, at all times, photo ID approved by your Probation Officer.
2. You shall provide your photo ID, true name, date of birth, address and name of your probation officer if contacted by law enforcement. Further, you shall report said contact or arrest to your probation officer immediately.
3. You shall not associate with any gang members.
4. You shall not recruit or coerce others to become involved in gang activity.
5. You shall not associate with juveniles without prior approval of your probation officer.
6. You shall not frequent any school grounds without prior approval of your probation officer unless you are a student registered at that school.
7. You shall not frequent \_\_\_\_\_.
8. You shall not wear, display, use or possess any insignias, emblems, badges, buttons, caps, hats, jackets, shoes, flags, scarves, bandannas, shirts, or other articles of clothing, which are evidence of gang affiliation.
9. You shall not display any gang signs or gestures.
10. You shall not appear in Court or at the Courthouse unless you are a party in the proceedings or reporting to your probation officer.
11. You shall not associate with any person who has firearms, weapons, or replicas in their possession.
12. You shall not frequent places where firearms or weapons are used either illegally or legally.
13. You shall not possess countersurveillance devices, beepers or pagers except in the course of lawful employment.
14. You shall not be an occupant in any stolen vehicle or vehicle that you should have known was stolen.
15. You shall not drive any vehicle without a valid driver's license, registration and proof of insurance.
16. You shall enroll in educational or vocation programs or maintain full time employment. If not in school or employed, you will participate in a day reporting program.
17. You shall participate in alcohol and substance abuse monitoring, screening and counseling as directed by your probation officer.
18. You shall complete \_\_\_\_\_ hours of community service at a rate of \_\_\_\_\_ hours per month in the Graffiti Abatement Program or other approved program.
19. You shall abide by a \_\_\_\_\_ curfew and approved weekly schedule.

20. \_\_\_\_\_

21. \_\_\_\_\_

DATE \_\_\_\_\_

JUDGE OF THE SUPERIOR COURT

DATE \_\_\_\_\_

PROBATIONER

**Appendix C: Pima County Juvenile Court Standard Probation Conditions, Intensive Probation Conditions and Gang Member Identification Criteria**



IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PIMA  
JUVENILE COURT

In the Matter of )  
 )  
DOB: ) JUVENILE NO:  
person(s) under the age ) ORDER OF PROBATION  
of eighteen (18) years. )

IT IS HEREBY ORDERED that the above-named juvenile be placed on Probation for \_\_\_\_\_ or until further order of the Court, under the care, custody and control of \_\_\_\_\_ subject to the supervision of the Probation Department under the following terms and Conditions:

CONDITIONS OF PROBATION ORDER

COMMUNITY PROTECTION

- ☒ 1. Shall obey all laws.
- ☒ 2. Shall not leave the State of Arizona without permission of the Court.
- ☒ 3. Shall obey the reasonable rules of your parent(s)/ guardian(s) or custodian(s).
- ☒ 4. Shall not possess, use, or carry a gun, firearm, knife, or any other deadly weapon.
- ☒ 5. Shall abide by the city curfew or a \_\_\_\_\_ p.m. to \_\_\_\_\_ a.m. curfew unless in counseling, at work, on house arrest, or modified by Probation Officer.
- ☒ 6. Shall not associate with anyone on Probation, Parole, known gang members, or anyone using or possessing illegal drugs or minors consuming alcohol, or \_\_\_\_\_.
- ☐ 7. Shall not go on the premises of \_\_\_\_\_.
- ☐ 8. Shall be placed on the Post Adjudication Monitor (electronic monitor) for a period of \_\_\_\_\_.
- ☒ 9. Shall submit to fingerprinting and identification photography as required by Probation Officer.
- ☒ 10. Shall not possess/ use any illegal substances.
- ☐ 11. Shall abide by Gang Conditions.
- ☒ 12. Shall not change residence without prior notice to Probation Officer.
- ☐ 13. Shall \_\_\_\_\_.

ACCOUNTABILITY

- ☐ 14. Shall make (earn/ pay) restitution in the amount of \_\_\_\_\_.  
Shall compensate victim(s) as follows:  
\$ \_\_\_\_\_ to victim \_\_\_\_\_.  
\$ \_\_\_\_\_ to victim \_\_\_\_\_.  
\$ \_\_\_\_\_ to victim \_\_\_\_\_.

Payments are to be received by the Clerk of the Superior Court and shall be in the amount of \$\_\_\_\_\_ at the scheduled rate of \_\_\_\_\_.

Per ARS 12-116, an additional fee of \$20.00 shall be due and owing if payment in full is not made on this date for the ordered fine or restitution.

- \_\_\_15. Shall participate with the Restitution Accountability Program (RAP) and comply with all program conditions.
- \_\_\_16. Shall repay the community through \_\_\_\_\_ hours of community service work to be completed by \_\_\_\_\_; provide written proof to Probation Officer.
- X 17. Shall confirm drug and alcohol free lifestyle by providing specimens for analysis or breathalyzer as directed by Probation Officer.
- \_\_\_18. Shall develop understanding of victim's perspective by participating in a victim offender mediation session or a crime impact panel as arranged by Probation Officer.
- \_\_\_19. Shall provide a written apology for their actions to the victim, \_\_\_\_\_, to be submitted to Probation Officer by \_\_\_\_\_.
- X 20. Shall contact Probation Officer by telephone or in person ( ) once a week ( ) every \_\_\_\_\_ or ( ) as directed by Probation Officer; and follow all reasonable directions of your Probation Officer.
- \_\_\_21. Shall pay a monetary assessment of \$\_\_\_\_\_ to the Clerk of the Superior Court by \_\_\_\_\_.
- \_\_\_22. Shall \_\_\_\_\_.

#### COMPETENCY

- \_\_\_23. Shall attend school every day, every class, on time, with good behavior, and demonstrate academic progress.
- \_\_\_24. Shall participate and complete the following skills group and/or counseling program to the satisfaction of your counselor and/or Probation Officer; \_\_\_\_\_.
- \_\_\_25. Shall attend and complete a General Equivalency Diploma (GED) program by \_\_\_\_\_; provide copy of certificate to Probation Officer.
- \_\_\_26. Shall actively seek and maintain employment.
- \_\_\_27. Shall participate in the CREW Program for \_\_\_\_\_ hours, \_\_\_\_\_ times per week.
- \_\_\_28. Shall participate in a community activity as directed by the Probation Department \_\_\_\_\_ (state activity).
- \_\_\_29. Shall attend \_\_\_\_\_ ( ) Alcoholics Anonymous (AA) or ( ) Narcotics Anonymous (NA) meetings per week; provide proof of attendance to Probation Officer.
- \_\_\_30. Shall abide by all the rules and regulations of the following placement or day support program: \_\_\_\_\_.
- \_\_\_31. Shall \_\_\_\_\_.



OTHER

Per Arizona Revised Statutes (A.R.S.) 8-235, the Court may make an order directing, restraining or otherwise controlling the conduct of a parent or legal guardian and may Invoke its Contempt Powers for Failure to Comply.

- \_\_\_32. \_\_\_\_\_ parent(s)/ guardian(s), or custodian(s) shall comply with the following orders:
- \_\_\_ a. attend and cooperate with counseling and parent training classes as arranged, or if deemed appropriate by Probation Officer, counselor, or day support program:
  - \_\_\_ b. report any violations of Conditions of Probation by the minor;
  - \_\_\_ c. provide or take responsibility for transportation of the minor for purposes of compliance with Conditions of Probation;
  - \_\_\_ d. complete \_\_\_\_\_ hours of community service work with  
( ) son/ ( ) daughter; and,
  - \_\_\_ e. not change residence without prior notice to Probation Officer.
  - \_\_\_ f. Shall per ARS 8-241G pay \$\_\_\_\_\_ monthly Probation Fee and ARS 8-418 \$\_\_\_\_\_ Victims' Rights Fee.
  - \_\_\_ g. Shall \_\_\_\_\_
- \_\_\_33. Per ARS 8-341(G.1+H) it is ordered that restitution in the total amount of \$\_\_\_\_\_ shall be paid.  
The custodial parent(s) \_\_\_\_\_ shall pay \$\_\_\_\_\_ to the Clerk of the Superior Court by \_\_\_\_\_ (date). The juvenile shall pay per item #14 of this order of probation.

Per ARS 12-116, an additional fee of \$20.00 shall be due and owing if payment in full is not made on this date for the ordered fine or restitution.

I understand the Conditions of my Probation. I also understand that if I violate any of these Conditions, it could result in the revocation of my Probation and placement with the Arizona Department of Juvenile Corrections (ADJC), until I reach the age of eighteen (18).

JUVENILE: \_\_\_\_\_ DATE: \_\_\_\_\_

PARENT OR GUARDIAN: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED AND SO ORDERED THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
JUDGE OF SUPERIOR COURT

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PIMA  
JUVENILE COURT

IN THE MATTER OF )  
 )  
DOB: ) JUVENILE NO:  
PERSON(S) UNDER THE AGE ) CONDITIONS OF JUVENILE  
OF EIGHTEEN (18) YEARS. ) INTENSIVE PROBATION

IT IS HEREBY ORDERED that the above-named juvenile be placed on probation for \_\_\_\_\_, or until further order of the Court, under the care, custody and control of \_\_\_\_\_, subject to the supervision of the Probation Department, under the following terms and conditions of Juvenile Intensive Probation Supervision:

CONDITIONS OF PROBATION ORDER

COMMUNITY PROTECTION

- X1. Shall obey all laws and notify probation/surveillance officer of any type of contact with law enforcement;
- X2. Shall report to and carry out the requests of your Probation Officer;
- X3. Shall not leave the State of Arizona without permission of the Court;
- X4. Shall not possess, use or carry a deadly weapon or dangerous instrument including but not limited to firearms, ammunition, incendiary devices, pneumatic weapons, bows and arrows, slings, edged weapons, clubs, incapacitating chemical agents and simulated weapons;
- X5. You shall remain at home at all times, except to attend school, work, treatment and/or perform community service or participate in special activities allowed by your Probation Officer or surveillance officer, and in the direct company of a parent or guardian;
- X6. You shall submit your person or property to search or seizure by a peace officer with or without probable cause, and with or without a warrant, if your Probation Officer, while in your immediate physical presence, so directs;
- X7. Shall obey the reasonable rules of parent, guardian or custodian;
- X8. Shall not associate with anyone on Probation, Parole, known gang members, or anyone using or possessing illegal drugs or minors consuming alcohol, or \_\_\_\_\_;
- 9. Shall not go on the premises of: \_\_\_\_\_;
- 10. Shall be placed on the Post Adjudication Monitor (electronic monitor) for a period of \_\_\_\_\_;
- X11. Shall submit to fingerprinting and identification photography as required by Probation Officer;
- X12. Shall not possess or use alcohol, marijuana, dangerous drugs or narcotics;
- 13. Shall abide by gang conditions;
- X14. Shall not change residence without prior notice to Probation Officer;
- 15. Other: \_\_\_\_\_



#### ACCOUNTABILITY

X16. Shall spend a minimum of 32 hours each week in any combination of the following as directed by the Court or your Probation Officer, and not terminate such program without the prior approval of the Court or your Probation Officer:

School or Court approved educational program;  
Court ordered treatment;  
Community Service work;  
Employment.

\_\_\_17. Shall make (earn/pay) restitution in the amount of \$\_\_\_\_\_;  
Shall compensate victim(s) as follows:  
\$\_\_\_\_ to victim\_\_\_\_\_  
\$\_\_\_\_ to victim\_\_\_\_\_  
\$\_\_\_\_ to victim\_\_\_\_\_

Payments are to be received by the Clerk of the Superior Court and shall be at the rate of \$\_\_\_\_ per \_\_\_\_\_.

Per ARS 12-116, an additional fee of \$20.00 shall be due and owing if payment in full is not made on this date for the ordered fine or restitution.

\_\_\_18. Shall participate with the Restitution Accountability Program (RAP) and comply with all programs conditions;

\_\_\_19. Shall repay the community through \_\_\_\_\_ hours of community service work to be completed by \_\_\_\_\_; provide written proof to Probation Officer;

X20. Shall confirm drug and alcohol free lifestyle by providing specimens for analysis or breathalyzer as directed by Probation Officer;

\_\_\_21. Shall develop understanding of victim's perspective by participating in a victim-offender mediation session or a crime impact panel as arranged by Probation Officer;

\_\_\_22. Shall provide a written apology for their actions to the victim \_\_\_\_\_ to be submitted to Probation Officer by \_\_\_\_\_;

X23. Shall contact Probation Officer by phone upon each departure and return to the residence, and as otherwise directed by Probation Officer;

\_\_\_24. Shall pay a monetary assessment of \$\_\_\_\_\_ to the Clerk of the Superior Court by \_\_\_\_\_;

X25. Shall not possess nor carry a pager or cellular telephone;

X26. Shall carry an identification card (ID) issued by Pima County JIPS at all times when away from home. The ID must be presented to law enforcement upon any contact. Loss or mutilation of the ID will require a \$25 replacement fee. The ID must be surrendered to JIPS at the termination of probation.

\_\_\_27. Other:\_\_\_\_\_

#### COMPETENCY

\_\_\_28. Shall attend school every day, every class, on time, with good behavior, and demonstrate academic progress, specifically:\_\_\_\_\_

\_\_\_29. Shall participate and complete the following skills group and/or counseling program to the satisfaction of your counselor and/or Probation Officer;

\_\_\_30. Shall actively seek and maintain employment. Until employed, shall participate in the Community Renewal and Enrichment through Work (CREW) \_\_\_\_\_ hours per week;

- \_\_\_31. Shall participate in a community activity as directed by Probation Officer, specifically \_\_\_\_\_;
- \_\_\_32. Shall attend \_\_\_\_\_ ( ) Alcoholics Anonymous or ( ) Narcotics Anonymous meetings per week; provide proof of attendance to Probation Officer;
- \_\_\_33. Other \_\_\_\_\_

**OTHER**

Per Arizona Revised Statutes (ARS) 8-235, the Court may make an order directing, restraining or otherwise controlling the conduct of a parent or legal guardian and may invoke its contempt powers for failure to comply.

- X34. \_\_\_\_\_ parent(s)/guardian(s), or custodian(s) shall comply with the following orders:
- \_\_\_a. Attend parent training classes at \_\_\_\_\_ by \_\_\_\_\_;
- \_\_\_b. Attend and cooperate with counseling;
- Xc. Report any violations of Conditions of Probation by minor;
- Xd. Provide or take responsibility for transportation of the minor for purposes of compliance with Conditions of Probation;
- \_\_\_e. Complete \_\_\_\_\_ hours of community service with ( ) son/( ) daughter; and,
- Xf. Not change residence without prior notice to Probation Officer;
- \_\_\_g. Shall \_\_\_\_\_
- \_\_\_35. Shall per ARS 8-241G pay \$\_\_\_\_\_ monthly Probation Fee and ARS 8-418 \$\_\_\_\_\_ Victims' Rights Fee.
- \_\_\_36. Per ARS 8-341(G.1+H) it is ordered that restitution in the total amount of \$\_\_\_\_\_ shall be paid. The custodial parent(s) \_\_\_\_\_ shall pay \$\_\_\_\_\_ to the Clerk of the Superior Court by \_\_\_\_\_ (date). The juvenile shall pay per item #17 of this order of probation.

Per ARS 12-116, an additional fee of \$20.00 shall be due and owing if payment in full is not made on this date for the ordered fine or restitution.

I understand the Conditions of my Probation. I also understand that if I violate any of these conditions, it could result in the revocation of my probation and placement with the Arizona Department of Juvenile Corrections (ADJC), until I reach the age of eighteen (18).

Juvenile: \_\_\_\_\_ Date: \_\_\_\_\_

Parent or Guardian \_\_\_\_\_ Date: \_\_\_\_\_

Approved and ordered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge of the Superior Court



IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PIMA  
JUVENILE COURT

In the Matter of )  
 )  
DOB: ) JUVENILE NO.:  
person(s) under the age ) ORDER OF PROBATION  
of eighteen (18) years. )

IT IS HEREBY ORDERED that the above-named juvenile be placed on probation until further court order, under the care, custody and control of \_\_\_\_\_ subject to the supervision of the Probation Department under the following terms and conditions:

GANG - Conditions of Probation

1. Do not wear, display, use or possess any insignia, emblem, button, badge, cap, hat, scarf, bandanna or any article of clothing which is intended to be evidence of affiliation with or membership in the (Name) \_\_\_\_\_ street gang;
2. Do not knowingly participate in any gang activity;
3. Do not associate with known gang members.
4. Do not display any gang signs or gestures.
5. Do not obtain tattoos except as permitted by your Probation Officer.
6. Do not possess or associate with anyone who possesses a firearm, weapon, simulated weapon, or ammunition.
7. Do not possess materials intended for use in tagging or producing graffiti including but not limited to spray paint and marking pens.
8. Do not possess a beeper, pager, or police scanner without prior approval of your Probation Officer.
9. Do not be on the campus of any school without prior approval of your Probation officer unless you are a student enrolled at that school.
10. Do not be at any courthouse or its premises unless you have a court date or are a subpoenaed witness or are there with approval of your Probation Officer.
11. You shall submit to search or seizure of your person, property, automobile, residence or any container under your control with or without probable cause by any peace or Probation Officer with or without benefit of a search warrant.

I understand the conditions of my probation. I also understand that if I violate any of these conditions, it could result in the revocation of my probation and placement with the Arizona Department of Juvenile Corrections until I reach the age of eighteen (18).

JUVENILE: \_\_\_\_\_ DATE \_\_\_\_\_

PARENT/GUARDIAN: \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED AND SO ORDERED THIS \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Original-Court Clerk  
CC Juvenile/Parent  
Social File  
Attorney/C.A.

\_\_\_\_\_  
JUDGE OF SUPERIOR COURT

## G.M.I.C. FORM

Last Name	First Name	Sex	D.O.B	I.C.#
Gang Affiliation		Nickname	P.O.	Date

*At least two of the following criterion must be met for entry into the AS400 Computer.*

☐ **1. SELF PROCLAMATION**

Defined as the self admittance of gang membership by the juvenile to P.O., S.O. or D.O. Example: During an inquiry, the suspected gang member is questioned about the incident and states "...because as an XYZ, I had to do it."

☐ **2. WITNESS TESTIMONY/OFFICIAL STATEMENTS**

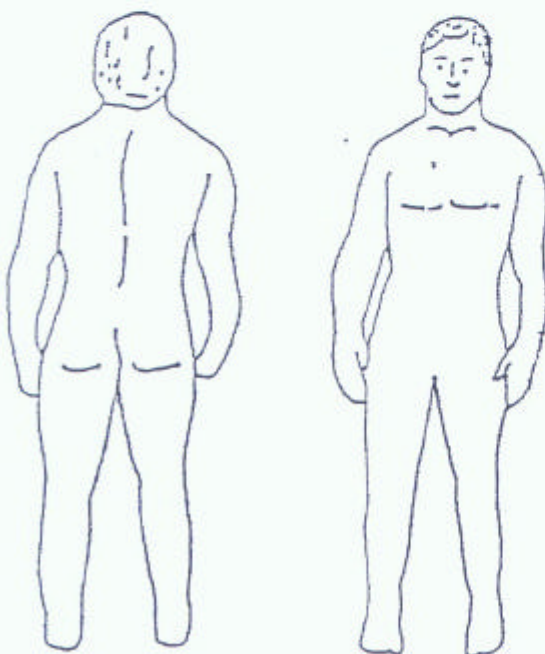
A person giving an official statement (i.e., police report, deposition, interview, courtroom testimony) that a suspected gang member is affiliated or associated with or is a member of a gang.

☐ **3. CORRESPONDENCE WRITTEN/ELECTRONIC**

Tangible evidence which states or suggests that a person is a gang member. The information may make reference to criminal street gang activities, incidents, names or nicknames. Example: Documents signed by suspected gang members including the gang logo (i.e., ABC or XYZ) or nick names (Sleepy, Dokey or Lil Capone). It is important to note whether the document was in or out of his immediate control.

☐ **4 PARAPHERNALLIA 7 PHOTOGRAPHS**

Paraphernalia which indicates gang affiliation or membership. Example: Rings, calling cards and drawings which depict gangs. It is important to note whether the document was in or out of his/her immediate control.



☐ **5. TATTOOS**

Suspected gang members wearing tattoos which are unique to the gang. Gang membership of a particular individual is more likely if the individual sports the same tattoo as other members. Documentation should include specifics of the tattoo and its location.

☐ **6. CLOTHING/COLORS**

Observations of the type of clothing, color of clothing, manner in which the clothing is worn can be associated with a particular street gang. Colors (symbol of gang membership) to include writing of a gang name on clothing and words or symbols associated with criminal street gang membership. Altered or additions to clothing (i.e., crossing out of specific letters) are also included.

**COMMENTS**

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**Appendix D: Pinal Juvenile Court Conditions of Intensive Probation with Gang Terms and Conditions of Standard Probation with Gang Terms**

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PINAL  
JUVENILE COURT

In the Matter of	}	
	}	JVM:
	}	FILE#:
	}	
A person under the age of	}	ORDER AND CONDITIONS OF
eighteen years,	}	INTENSIVE PROBATION WITH GANG TERMS
	}	

This matter having been regularly heard before the Court on the day of , , and the Court having determined that the best interests of the above named child , DOB: , who resides in Pinal County, would be best served if made a ward of this Court and placed on intensive probation under the supervision of the Pinal County Department of Juvenile Court Services.

IT IS THE ORDER OF THE COURT that said minor child is a delinquent child and that said minor is hereby made a ward of this Court and placed on intensive probation until the age of Eighteen, under the supervision of the Pinal County Department of Juvenile Court Services, subject to the following standard conditions:

- (X) 1. Probationer shall at all times be a law-abiding citizen.
- (X) 2. Probationer shall not leave the State of Arizona or change his/her place of residence or leave his/her parent's/guardian's home without the approval of the probation officer.
- (X) 3. Probationer and/or family/legal guardian shall participate in a program involving professional counseling as directed by the probation officer. Failure by parents/legal guardians to participate in any and all counseling programs may result in contempt of court charges against parents/legal guardians.
- (X) 4. Probationer shall not use, possess, consume or have any contact with alcohol, marijuana, illicit drugs, narcotics, toxic substances or toxic vapors.
- (X) 5. Probationer shall submit to random drug and/or alcohol testing by the probation officer or his/her designee, at any time.



- (X) 6. Probationer shall not associate with any person on probation or parole, nor with any person who has a criminal record, without the permission of the probation officer.
- (X) 7. Probationer shall not possess or control any deadly weapon or firearm without the approval of the probation officer.
- (X) 8. Probationer shall tour the maximum security prison if directed by his/her probation officer.
- (X) 9. Probationer shall submit to search and seizure of his or her person and/or property, with or without probable cause, with or without a warrant, if the probation officer, while in probationer's immediate presence, so directs.
- (X) 10. Probationer shall be placed at any time under the electronic monitoring Program. This may be a condition of release from detention.
- (X) 11. Probationer shall participate and successfully complete any structured weekend and/or summer programs as directed by the probation officer or the Department of Juvenile Court Services. If directed to attend such a program, the probationer must successfully complete the program as a condition of probation.
- (X) 12. Special Orders for Parent(s) or Guardian(s)

Pursuant to ARS 8-235A: "The parent(s) or legal guardian(s) of a person who is under eighteen years of age shall exercise reasonable care, supervision, protection and control over the parents or legal guardian's child."

Pursuant to ARS 835C: "The Court may invoke its contempt powers pursuant to Section 8-248 to enforce any treatment, counseling, education or other restraining of protective order..."

1. The parent(s) or guardian(s) shall attend parenting and/or counseling program(s) as directed by the probation officer.
2. The parent(s) or guardian(s) shall report to the probation officer(s) any and all violations of probation and violations of law involving the minor on probation.
3. The parent(s) or guardian(s) shall take responsibility for the transportation of the probationer to and from all activities mandated by JIPS.
4. The parent(s) or guardian(s) shall be honest and forthright regarding the behavior of the probationer.

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Intensive File# JV# Name: 2-

- (X) 13. The probationer, at the direction of the probation officer or the Department of Juvenile Court Services, shall participate and successfully complete the H.C.P.E. Program.
- ( ) 14. Probationer shall have his/her license suspended until their eighteenth birthday on receiving the record of the probationer's conviction for a violation of any provision of Title 13 Chapter 34 per section 28-3320A.5 of the Arizona revised Statutes.

WARNING

If you have been adjudicated a FIRST TIME FELONY juvenile offender: You are now on notice that if you are adjudicated of ANOTHER offense that would be a felony offense if committed by an adult and if you commit the OTHER offense when you are fourteen years of age or older, you will be placed on juvenile intensive probation, which may include home arrest and electronic monitoring, or you may be placed on juvenile intensive probation and may be incarcerated for a period of time in a juvenile detention center, or you may be committed to the department of juvenile corrections or you may be prosecuted as an adult. IF YOU ARE CONVICTED AS AN ADULT OF A FELONY OFFENSE AND YOU COMMIT ANY OTHER OFFENSE, YOU WILL BE PROSECUTED AS AN ADULT.

WARNING

If you have been adjudicated a REPEAT FELONY juvenile offender: You are now on notice that if you are arrested for ANOTHER offense that would be a felony offense if committed by an adult and if you commit the OTHER offense when you are fifteen years of age or older, you will be tried as an adult in the criminal division of the superior court. If you commit the OTHER offense when you are fourteen years of age or older, you may be tried as an adult in the criminal division of the superior court. If you are convicted as an adult, you will be sentenced to a term of incarceration. IF YOU ARE CONVICTED AS AN ADULT OF A FELONY OFFENSE AND YOU COMMIT ANY OTHER OFFENSE, YOU WILL BE PROSECUTED AS AN ADULT.

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Intensive File# JV# Name: -3-

SPECIAL TERMS AND CONDITIONS:

- ( ) 15. Probationer shall have contact at least times per week with the probation officer, as arranged by the probation officer.
- ( ) 16. Probationer shall be placed on House Arrest the first 30 days of supervision. After the initial house arrest period, curfew shall be 6:00pm daily unless other hours are permitted by supervising probation officer.
- ( ) 17. Probationer shall be placed in the Pinal County Juvenile Detention Center for a period of days during the time specified below:  
Commence Date: Review Date:
- (The Detention Order may be rescinded if overall behavior is satisfactory.)
- ( ) 18. The probationer and/or parent, guardian shall be responsible for the payment of fines/fees/restitution listed below. Probation shall make payment to the Clerk of the Superior Court of Pinal County. Mail payment(s) to Clerk of the Superior Court, PO Box 2730, Florence, Arizona 85232.

			Assessed to Parent	Assessed to Juvenile
( ) Restitution of \$			( )	( )
( ) Time Payment Fee:	\$20.00	(one time)	( )	( )
( ) Victim Rights Fee:	\$15.00	(one time)	( )	( )
( ) Monetary Assessment:\$		( )	( )	( )
( ) Counseling Fee:	\$30.00	(one time)	( )	( )
( ) Family Couns Fee:	\$	(monthly)	( )	( )
( ) Supervision Fee:	\$	(monthly)	( )	( )
( ) Fingerprint Fee:	\$5.00	(one time)	( )	( )
( ) Other:	\$	( )	( )	( )

Payments shall commence on:  
Regular installments shall be paid on the day of each month.

If probationer and/or parent is unable to adhere to payment schedule, the probation officer shall be notified within five (5) days after scheduled payment is past due.

Any monies owed the State after the age 18 shall result in a civil judgement (ARS 8-250, 8-251).

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Intensive File# JV# Name: -4-



- (X) 19. Probationer shall participate in a minimum of 32 hours per week in programs involving education, community service, employment, counseling, or any combination of the above, as directed by the probation officer.

In Addition to the hours required as part of this intensive probation, the probationer shall complete the following:

- ( ) hours of community service work as a consequence for your delinquent acts.
- ( ) hours of community service work in lieu of payment of monetary assessment (calculated at \$5.00/hour).
- ( ) hours of community service work in lieu of payment of restitution (calculated at \$5.00/hour).

TOTAL HOURS TO BE COMPLETED BY AND AT THE DIRECTION OF  
THE COMMUNITY SERVICE WORK COORDINATOR.

- ( ) 20. Probationer shall submit a letter of apology to the victim within 30 days, as directed by his/her probation officer.
- ( ) 21. Probationer shall participate in the Victim-Offender Mediation Program as directed by the probation officer.
- (X) 22. Do not wear, display or use or possess any insignia, emblem, button, badge, cap, hat, scarf, bandanna or any article of clothing which is intended to be evidence of affiliation with or membership in the .
- (X) 23. Do not knowingly participate in any gang activity.
- (X) 24. Do not associate with known gang members.
- (X) 25. Do not display any gang sign or gestures.
- (X) 26. Do not obtain tattoos except as permitted by your Probation Officer
- (X) 27. Do not possess or associate with anyone who possesses a firearm weapon, simulated weapon or ammunition.
- (X) 28. Do not possess materials intended for use in tagging or producing graffiti including but not limited to spray paint and marking pens.
- (X) 29. Do not possess a beeper, pager, or police scanner without approval of your Probation Officer.
- (X) 30. Do not be on campus of any school without prior approval of your Probation Officer unless you are a student enrolled at the school.
- (X) 31. Do not be at any Court House or its premises unless you have a court date or are a subpoena witness or are there with approval of your Probation Officer.

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Intensive File# JV# Name: -5-

(X) 12. You shall submit to search and seizure of your person, property, automobile, residence or any container under your control with or without probable cause by any peace or probation office with or without benefit of a search warrant.

I hereby acknowledge receipt of the foregoing Order and Conditions of Juvenile Intensive Probation supervision. I understand that upon my violation of said Terms, the Court may revoke or terminate my probation and impose sentence upon me in accordance with the law.

\_\_\_\_\_  
PROBATIONER

DATED this    day of    , .

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

I hereby acknowledge receipt of the foregoing Order and Conditions of Juvenile Intensive Probation Supervision. I understand that upon my child's violation of said Terms, the Court may revoke or terminate my child's probation and impose sentence upon him/her in accordance with the law. In addition, I understand that if I fail to abide by the Special Orders for parent(s) and/or guardian(s), the Court shall hold me in Contempt of Court.

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Intensive File# JV# Name: -6-

I hereby acknowledge and agree to meet Court Ordered Financial Obligations set forth in the Terms and Conditions of Probation. These obligations have been fully explained to me.

\_\_\_\_\_  
Probationer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

These Terms were explained to the minor and his/her parent(s)/guardian(s) by this probation officer on the \_\_\_\_\_ day of \_\_\_\_\_, .

\_\_\_\_\_  
Deputy Probation Officer

\_\_\_\_\_  
Date

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Intensive File# JV# Name: -?-

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PINAL  
JUVENILE COURT

In the Matter of

JVN

FILE#

A person under the age of  
eighteen years.

ORDER AND CONDITIONS OF  
STANDARD PROBATION WITH GANG TERMS

This matter having been regularly heard before the Court on the day of ,  
, and the Court having determined that the best interests of the above-named  
child , DOB: , of the age of years, who resides in Pinal County, would be  
best served if made a ward of this Court and placed on probation under the  
supervision of the Pinal County Department of Juvenile Court Services.

IT IS THE ORDER OF THE COURT that said minor child is a delinquent child  
and that said minor is hereby made a ward of this Court and placed on probation  
until the age of Eighteen, under the supervision of the Pinal County Department  
of Juvenile Court Services, subject to the following standard conditions:

- (X) 1. Probationer shall at all times be a law-abiding citizen.
- (X) 2. Probationer shall remain enrolled as a student, without any unexcused  
absences, make satisfactory progress, and keep the probation officer  
advised.
- (X) 3. If probationer is not enrolled in school, the minor shall seek and  
maintain employment, and keep the probation officer advised.
- (X) 4. Probationer shall report at least once each month, in writing and/or in  
person, and at all other times as directed by the probation officer.
- (X) 5. Probationer shall not leave the State of Arizona, or change his or her  
place of residence, or leave his or her parent's/guardian's home  
without the approval of the probation officer.
- (X) 6. Probationer shall participate in a program involving professional  
counseling, out-patient or residential treatment, as directed by the  
probation officer.
- (X) 7. Probationer shall not associate with any person on probation or  
parole, nor with any person who has a criminal record, without the  
permission of the probation officer.
- (X) 8. Probationer shall not possess or control any deadly weapon or firearm  
without the approval of the probation officer.
- (X) 9. Probationer shall not possess or drink intoxicating and/or alcoholic  
beverages.



- (X) 10. Probationer shall not possess or use marijuana, toxic substances or any other controlled narcotics in violation of the law.
- (X) 11. Probationer shall submit to random alcohol/drug testing as directed by the juvenile probation officer.
- (X) 12. Probationer shall inform the probation officer within 72 hours of any contact with any law enforcement officer.
- (X) 13. Probationer shall tour a maximum security prison facility as directed by the probation officer.
- (X) 14. Probationer shall submit to search and seizure of his or her person and or property, with or without probable cause, with or without a warrant, if the probation officer, while in probationer's immediate presence, so directs.
- (X) 15. Probationer shall participate and successfully complete any structured weekend and/or summer programs as directed by the probation officer or the Department of Juvenile Court Services. Structured weekend and/or summer programs may include, but are not limited to, Helping Others Prosper through Encouragement Program (H.O.P.E.). If directed to attend such a program, the probationer must successfully complete the program as a condition of probation.
- (X) 16. Probationer shall participate in structured after school activities, which may include, but not limited to, community service work, education, tutoring, counseling and recreation, as directed by the probation officer.

#### WARNING

If you have been adjudicated a **FIRST TIME FELONY** juvenile offender, you are now on notice that if you are adjudicated of a **ANOTHER** offense that would be a felony offense if committed by an adult and if you commit the **OTHER** offense when you are fourteen years of age or older, you will be placed on Juvenile Intensive Probation, which may include home arrest and electronic monitoring, or you may be placed on Juvenile Intensive Probation and may be incarcerated for a period of time in a juvenile detention center, or you may be committed to the Department of Juvenile Corrections or you may be prosecuted as an adult. **IF YOU ARE CONVICTED AS AN ADULT OF A FELONY OFFENSE AND YOU COMMIT ANY OTHER OFFENSE, YOU WILL BE PROSECUTED AS AN ADULT.**

#### WARNING

If you have been adjudicated a **REPEAT FELONY** juvenile offender (two or more adjudications), you are now on notice that if you are arrested for **ANOTHER** offense that would be a felony offense if committed by an adult and if you commit the **OTHER** offense when you are fifteen years of age or older, you will be tried as an adult in the criminal division of the Superior Court. If you commit the **OTHER** offense when you are fourteen years of age or older, you may be tried as an adult in the criminal division of the Superior Court. If you are convicted as an adult, you will be sentenced to a term of incarceration. **IF YOU ARE CONVICTED AS AN ADULT OF A FELONY OFFENSE AND YOU COMMIT ANY OTHER OFFENSE, YOU WILL BE PROSECUTED AS AN ADULT.**

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Standard File# JV# Name -2-



SPECIAL TERMS AND CONDITIONS:

- (X) 17. Probationer shall observe a curfew of during the week and on weekends, unless accompanied by a parent, guardian, or a designated responsible adult.
- () 18. Probationer shall make payment to the Clerk of the Superior Court of Pinal County. Mail payment(s) to The Clerk of the Superior Court, PO Box 2730; Florence, Arizona 85232:
- () Restitution of: \$
  - () Fine of: \$ @ the rate of \$ per month
  - () Assessment of: \$ @ the rate of \$ per month
  - () Monthly Supervision Fee: \$40.00
  - () Counseling Education & Treatment Fee: \$30.00 one time only
  - () Time Payment Fee: \$20.00
  - () Victim's Rights Fee: \$15.00
  - () Fingerprint Fee: \$ 5.00
  - () Any unpaid restitution or financial obligation shall be reduced to judgement upon the minor's 18th birthday.
- () 19. Probationer shall participate in and complete hours in the community service program.
- TOTAL HOURS TO BE COMPLETED BY AND AT THE DIRECTION OF THE COMMUNITY SERVICE WORK COORDINATOR.**
- () 20. Probationer shall be placed in the Pinal County Juvenile Detention Center for a period of days during the time specified below:  
Commence: Review:
- () 21. Probationer shall write a letter of apology to the victim and submit this letter to the probation officer within 30 days.
- () 22. Probationer shall participate in the Victim-Offender Mediation Program as directed by the probation officer.
- () 23. The probationer shall have his/her license suspended until their eighteenth birthday on receiving the record of the probationer's conviction for a violation of any provision of Title 13 Chapter 34 per section 28-3320 A.5 of the Arizona Revised Statutes.
- () 24. The probationer shall serve first day(s) of probation/reinstatement to probation under conditions of House Arrest.
- () 25. The probationer shall participate and successfully complete the Pinal County Juvenile Drug Court Program and abide by all terms and conditions set forth in the Drug Court Contract.
- () 26. Do not wear, display, or use or possess any insignia, emblem, button, badge, cap, hat, scarf, bandanna or any article of clothing which is intended to be evidence of affiliation with or membership in the ,

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Standard File# JV# Name -3-

- () 27. Do not knowingly participate in any gang activity.
- () 28. Do not associate with known gang members.
- () 29. Do not display any gang sign or gestures.
- () 30. Do not obtain tattoos except as permitted by your Probation Officer.
- () 31. Do not possess or associate with anyone who possesses a firearm weapon simulated weapon or ammunition.
- () 32. Do not possess materials intended for use in tagging or producing graffiti including but not limited to spray paint and marking pens.
- () 33. Do not possess a beeper, pager or police scanner without approval of your Probation Officer.
- () 34. Do not be on the campus of any school without prior approval of your Probation Officer unless you are a student enrolled at the school.
- () 35. Do not be at any Court House or its premises unless you have a court date or a subpoena witness or are there with approval of your Probation Officer.
- () 36. You shall submit to search and seizure of your person, property, automobile, residence or any container under your control with or without probable cause by any peace or probation officer with or without benefit of a search warrant.

I hereby acknowledge receipt of the foregoing Order and Conditions of Probation. I understand that upon my violation of said Terms, the Court may revoke or terminate my probation and impose sentence upon me in accordance with the law.

\_\_\_\_\_  
PROBATIONER

IT IS FURTHER ORDERED that the parents of \_\_\_\_\_ be assessed the amount of \$\_\_\_\_\_ each month for probation services to be paid on the \_\_\_\_\_ day of each month during the term of probation.

IT IS FURTHER ORDERED that the parents of \_\_\_\_\_ be assessed the amount of \$\_\_\_\_\_ for family counseling to be paid by \_\_\_\_\_.

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Standard File# JV# Name -4-

IT IS FURTHER ORDERED that the parents of \_\_\_\_\_  
be assessed the amount of \$\_\_\_\_\_ for victim rights fee to be paid by  
\_\_\_\_\_.

DATED this day of , .

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

DIST: White-Clerk; Green-Cty Attorney; Yellow-File; Pink-Minor; Gold-Victim  
DATE Cond Prob/Standard File# JV# Name -5-

**Appendix E: Yuma County Adult Probation Department Special Regulations of Probation for Gang Members**

## THE YUMA COUNTY ADULT PROBATION DEPARTMENT

### SPECIAL REGULATIONS OF PROBATION FOR GANG MEMBERS

Defendant: \_\_\_\_\_ Case No: \_\_\_\_\_

- \_\_\_\_ 1. Have on your person, at all times, a photo ID approved by the Probation Officer.
- \_\_\_\_ 2. Provide your photo ID, your true name, date of birth, address and name of your probation officer if contacted by law enforcement. Further, you shall report said contact or arrest to the probation officer within 72 hours.
- \_\_\_\_ 3. Not associate with any gang members or person(s) associated with any gang.
- \_\_\_\_ 4. Not recruit or coerce others to become involved in gang activity.
- \_\_\_\_ 5. Not associate with juveniles without prior approval of the probation officer.
- \_\_\_\_ 6. Not frequent any school grounds without prior approval of the probation officer.
- \_\_\_\_ 7. Not frequent, loiter or be within two blocks of any gang activity.
- \_\_\_\_ 8. Not wear, display, use or possess any insignias, emblems, caps, hats, jackets, shoes, flags, bandannas, shirts, or other articles of clothing which are evidence of affiliations with membership in a gang.
- \_\_\_\_ 9. Not display any gang signs, gestures, or possess any depiction of gang activity.
- \_\_\_\_ 10. Not appear in court or at the Courthouse unless you are a party in the scheduled proceedings or reporting to the Adult Probation Department without prior approval of the probation officer.
- \_\_\_\_ 11. Not associate with any person who has firearms, weapons, or replicas in their possession.
- \_\_\_\_ 12. Not frequent places where firearms or weapons are sold or used either legally or illegally.
- \_\_\_\_ 13. Not possess counter surveillance devices such as scanners or pagers except under circumstances approved in advance and in writing by the probation officer.
- \_\_\_\_ 14. Not drive any vehicle without a valid driver's license, registration and proof of insurance.
- \_\_\_\_ 15. Not possess any property which is evidence of gang affiliation is subject to search and seizure and may be confiscated by the supervising probation officer.
- \_\_\_\_ 16. Not obtain or display tattoo markings on your person which are evidence of gang affiliation.
- \_\_\_\_ 17. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probation Officer

Acknowledgment: I have read the above and/or had the above explained to me and fully understand the above regulations and my responsibility to comply fully with these regulations. I understand that the Court could revoke my probation and sentence me to the maximum sentence permitted by law if I violate any of the above regulations.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

C:\My Documents\1maLari\MASTER FORMS DIRECTORY\SPECIALREG\GANGREG

White copy – Clerk's Office  
Yellow copy – Probationer File  
Pink copy – Probationer  
(Revised 1-4-99)