

# HEINONLINE

Citation:

Jeffrey Grogger, What We Know about Gang Injunctions, 4  
Criminology & Pub. Pol'y 637 (2005)

Content downloaded/printed from [HeinOnline](#)

Sun May 19 22:59:39 2019

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

-- To obtain permission to use this article beyond the scope of your HeinOnline license, please use:

## [Copyright Information](#)



Use QR Code reader to send PDF to your smartphone or tablet device

## WHAT WE KNOW ABOUT GANG INJUNCTIONS

JEFFREY GROGGER  
University of Chicago

Gangs have been with us a long time. Gang injunctions have been with us for about 20 years, if we define “us” as residents or students of Southern California, where the tactic originated. Recently use of the tactic has spread, making this a good time to take stock of what we know about it, what we would like to know about it, and what alternative policies we might want to try.

One of the first things we would like to know is whether gang injunctions reduce crime, particularly the type of violent, random crime that might be as costly for the fear it generates as for the tangible damage it does. The next thing we would like to know is whether the injunctions improve the quality of life in the areas where they are imposed. Indeed, prosecutors often argue that the goal of the injunctions is to improve quality of life, even if they have no tangible effect on crime.

If the answers to these two questions are positive, we would like to know whether gang injunctions reduce crime and improve neighborhoods in a cost-effective manner. That is, we would like to know if their benefits exceed their costs. We would like to capture both monetary and nonmonetary costs. One nonmonetary cost we would like to measure in particular is the cost that the injunctions impose on local residents’ civil liberties. Civil libertarians have complained from the beginning that the injunctions provide police less with a tool to confront gangs than with license to take action against anyone in the area who happens to look like a gang member. The answers to these questions raise others, which I get to below.

### CRIME

We do not have a lot of information on any of these questions, but we have the most information about crime. I analyzed reported crime data from 14 areas in Los Angeles County that were covered by injunctions imposed between 1993 and 1998. Relative to a set of matched comparison neighborhoods, violent crimes fell by 5% to 10% in the injunction areas during the first year after they were imposed. I found no evidence that the crimes were merely displaced to adjoining areas (Grogger, 2002).

More recently, the Los Angeles County Civil Grand Jury (2004) carried

out an independent analysis of the effect of injunctions on crime. They too analyzed 14 areas in Los Angeles County that were subject to injunctions, but because they focused on a more recent time period, only two injunctions were common to their study and mine. Employing the same methods that I proposed, the Grand Jury reached similar conclusions: In the year after the injunctions were imposed, serious crime fell by 6% to 9%. They concluded that “CGI’s do in fact cause a reduction in Part I crimes” (p. 214).

### QUALITY OF LIFE

Maxson, Hennigan, and Sloane (hereafter, MHS), provide the first evidence on quality-of-life issues. The evidence is largely favorable. Within six months after the Verdugo Flats injunction was implemented, gangs and graffiti were less visible and fear and intimidation had fallen.

### COST-EFFECTIVENESS

Because the injunctions seem to have favorable effects, it is worthwhile to ask whether their benefits exceed their costs. This is an area where we do not know much, because cost information is hard to come by. Here I make some rough calculations based on estimates from my study and conversations with prosecutors.

My study suggested that the injunctions resulted in a reduction of somewhere between 66 and 222 robberies, and somewhere between 210 and 336 felony assaults, during the year after they were imposed. (Their effects on murder and rape were negligible.) According to Mark Cohen (2000), the social cost of each robbery is about \$10,400 and the cost of each assault is about \$12,200 (in 2004 dollars). If those numbers are right, then the monetary benefits of the injunctions range between \$3.2 million and \$7.4 million. These numbers include quality-of-life costs, so they presumably reflect the monetary benefits of the quality-of-life improvements measured by MHS as well as more tangible benefits. At the same time, they probably understate the true benefits of the injunctions, because they are based on reductions in reported, rather than actual, crime.

Cost data are difficult to come by. Los Angeles prosecutors say that it takes about one year of an assistant prosecutor’s time to put an injunction in place, which they value at roughly \$100,000 to \$150,000 per year. For 14 injunctions, that adds up to something between \$1.4 and \$2.1 million.

What the injunctions cost after they are in place is harder to say. There is a lot of heterogeneity in enforcement effort across the injunctions. In some areas, police gear up to go after the gang. In others, patrols remain essentially unchanged.

One way of dealing with this heterogeneity is to ask how high enforcement costs would have to be before the costs of the injunctions exceeded their benefits. In the worst-case scenario, the answer is \$1.1 million (= \$3.2 million - \$2.1 million), or about \$79,000 per injunction. In the best-case scenario, the number is \$6 million (= \$7.4 million - \$1.4 million), or about \$429,000 per injunction. In both cases, the true number is probably higher, because the true reduction in crime is probably greater than the reduction in reported crime. It seems that enforcement costs would have to be pretty high to draw the conclusion that the injunctions were not cost-effective. To pin this question down any better, however, police and prosecutors would have to track their costs.

## CIVIL RIGHTS

The injunctions forbid otherwise legal acts, potentially subjecting defendants to greater police supervision and control. Civil libertarians argue that the injunctions cast the net of law enforcement even more widely, giving police ample pretext to stop and potentially harass not only the enjoined parties, but also others who might meet the description of a gang member. This is something we know nothing about, save for anecdotes.

One problem is that answering this question involves field research, much as the quality-of-life questions involve field research. In contrast to research based on existing crime data, such as my own, someone needs to gain the cooperation of the prosecutor, the police, and equally importantly, the interview subjects in the study area. The question is important, however, so researchers need to find a way to answer it.

## WHAT ELSE DO WE NEED TO KNOW?

The first answer to this question is, a lot more about the questions that have already been addressed. We have two studies of how the injunctions affect crime and one on how they affect quality of life. We have anecdotal cost data, which do not add up to a surfeit of knowledge.

Beyond corroborating (or refuting) what we have learned so far, future research might refine what we have learned, for example, by addressing whether injunctions are more effective against certain kinds of gangs, or certain kinds of areas, or when coupled with certain types of enforcement actions. We would also like to know whether the effects of the injunctions last longer than a year. As discussed, civil liberties issues are crucial. But the evidence we have now is enough to raise a further question, which may have policy implications.

## WHY DO THE INJUNCTIONS WORK?

First on the list of usual suspects is deterrence. In this case, however, deterrence seems like an unlikely explanation. Injunction violations can be punished with either civil or criminal sanctions. The maximum penalty via the criminal route is six months in jail. To levy a six-month sentence, prosecutors have to follow usual criminal procedure, which can result in the usual procedural delays. The maximum penalty via the civil route is a few days in jail, which can be effected immediately. Either way, it seems unlikely that these sentences would generate much deterrence. Gang members get named in the injunction by virtue of the rapes, robberies, assaults, and drug dealing of which they are suspected. Gang members are clearly willing to risk the much longer sentences associated with those crimes; it seems unlikely that the threat of a few additional months in jail would change their behavior all that much.

MHS suggest that greater community efficacy might lead residents to call the police, presumably helping to stem gang crime. As they stress, however, such a change would take place over time, which means something else has to explain the initial effect of the injunctions on crime. MHS suggest a theory of individuation, but note that it could lead to either higher or lower levels of crime.

Another possibility involves the revelation of police intelligence. When gang members are served with injunction papers, they learn what the police know about them. Presumably, it is more than they thought, because evidence that goes into an injunction complaint does not have to meet the same standards as evidence that goes to trial. When gang members learn that the police are on to them, they might react by reducing their risk, that is, by committing less crime.

This idea may sound far-fetched. At the same time, *something* has to explain the effects of the injunctions. Furthermore, the revelation hypothesis could be tested, at least in principle. If it is the revelation of intelligence that matters, then such intelligence could be revealed on an experimental basis. Law enforcement could randomly select gang members and serve them with papers showing what they know about them. At the same time, a randomly selected control group would not be served. If the group served with papers committed fewer crimes than the control group, then we would know that information affects behavior.

If information affects behavior, then the door opens to a new set of tactics that could be used to curb gang crime. Police could strategically reveal intelligence to gang members who were particular problems, or who held important positions (perhaps revealed by McGoin's network analysis) within the gang's organization. An advantage of this approach is that it might be less costly than the current gang injunctions. Currently, putting

an injunction in place is a costly and time-consuming process. In contrast, police could strategically reveal intelligence without the cost of a full injunction hearing, and the policy could be targeted as widely or narrowly as needed. This is a case in which some strategic collaboration between police and researchers could potentially add some useful new tools to law enforcement's anti-gang tool kit.

## REFERENCES

Cohen, Mark A.

- 2000 Measuring the Costs and Benefits of Crime and Justice. In *Measurement and Analysis of Crime and Justice, Criminal Justice 2000, Vol. 4*. National Institute of Justice, NCJ 182411. Available online: [http://www.ncjrs.org/criminal\\_justice2000/vol\\_4/04f.pdf](http://www.ncjrs.org/criminal_justice2000/vol_4/04f.pdf).

Grogger, Jeffrey

- 2002 The effects of civil gang injunctions on reported violent crime: Evidence from Los Angeles County. *Journal of Law and Economics* 45:69–90.

Los Angeles County Civil Grand Jury

- 2004 Management Audit of the Civil Gang Injunctions. In *Los Angeles County Civil Grand Jury, 2003-2004 Final Report*, pp. 169–335. Available online: [http://grandjury.co.la.ca.us/gjury03-04/LACGJFR\\_03-04.pdf](http://grandjury.co.la.ca.us/gjury03-04/LACGJFR_03-04.pdf).

