

## Office of the Kane County State's Attorney



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### **KANE STATE'S ATTORNEY SUES AURORA STREET GANG; SEEKS DAMAGES, END TO GANG'S SUSTAINABILITY**

**MEMBERS MUST APPEAR IN CIVIL COURT; SIMILAR SUIT IN 2010 UNDERCUT ELGIN GANG**

May 29, 2012

The Kane County State's Attorney has sued three dozen members of the Aurora Latin Kings street gang seeking to further rid the city of corrosive and destructive activity.

The lawsuit, filed May 24, 2012, in Kane County civil court on behalf of the city of Aurora, is brought pursuant to the 1993 [Illinois Streetgang Terrorism Omnibus Prevention Act](#). The Act holds that street gangs who operate to terrorize communities with repeated acts of violence may be held accountable for monetary damages and enjoined from further gang activity.

The Act states in part:

*"... Communities, neighborhoods and schools throughout the state are being terrorized and plundered by street gangs. ...*

*"Street gangs' activities present a clear and present danger to public order and safety and their actions are not constitutionally protected. No society is or should be required to endure such activities without redress."*

The law suit is similar to a suit that was filed in September 2010 by the Kane County State's Attorney against 81 members of the Elgin Latin Kings.

The Aurora lawsuit names 35 members of the Latin Kings, as well as the gang itself. It seeks to prohibit the gang members from congregating in public and addresses such behavior as the possession and use of weapons, marijuana and illicit narcotics, graffiti, violent behavior and other activities generally associated with street gangs.

The goal is to diminish the gang's criminal activities by preventing its members' ability to freely operate within the community among law-abiding citizens.

*"By and through their association with Latin Kings, members engage in a course or pattern of criminal activity and gang-related including felonies, murders, shootings, aggravated batteries, unlawful possession of and unlawful use of weapons, unlawful possession of and delivery of controlled substances and cannabis, criminal*

*defacement of property, and other conduct injurious to the people of the state of Illinois, and the city of Aurora,” the suit states in part.*

In addition, the suit seeks unspecified punitive and compensatory relief for past damage and financial losses incurred as a result of the gang activities and to offset the costs of fighting street gangs.

“The Latin Kings gang and the members named in the lawsuit are the worst of the worst in Aurora. The Kane County State’s Attorney’s Office has worked with the Aurora Police Department and will continue to work with all law enforcement to put an end to the violent, disruptive and antisocial behavior of these individuals,” Kane County State’s Attorney Joe McMahon said.

“We have a responsibility to take whatever lawful action we can to make the community safer. This lawsuit, which has proven to be an effective proactive tool, is another step in that direction. We have heard the cries of law-abiding citizens who are tired of the destructive crime in their community, and we will continue to act to support their efforts to return to a community that is safe for everyone, whether it’s on the east side, the west side or right in the middle.”

The project was assigned to Special Assistant State’s Attorney Ross Bartolotta, who, with the help of the Aurora Police Department researched the criminal histories of hundreds of gang members in Aurora as they determined who to sue. The Kane County Sheriff’s Office collaborated with the Aurora Police Department to serve the summonses.

The gang members were served with the summonses beginning May 24, 2012, by Kane County Sheriff’s deputies and other deputized officers. Each gang member was ordered to appear July 10, 2012, in front of Circuit Judge Thomas E. Mueller in Courtroom 110 at the old Kane County Courthouse in Geneva, Ill.

Aurora Mayor Tom Weisner has been supportive of the process from the beginning.

“This latest initiative is another tool our police officers can use to help assure the city is safe from the violence of street gangs. Aurora’s tough stance on crime, especially those that are attributable to street gangs, has resulted in record crime lows and continuing declines in violent crime. Partnerships have played a pivotal role in Aurora’s progress,” Weisner said. “I thank all of our dedicated police officers and the Kane County State’s Attorney’s Office for working together on this new and innovative way to keep our residents, families, and businesses safe from the plague of street gangs.”

Likewise, Aurora Police Chief Greg Thomas is pleased to have another tool to help quell street gangs.

“I am grateful for the outstanding working relationship between the Kane County State’s Attorney’s Office and Aurora Police Department. We’ve partnered in many state and federal sweeps, “Operation First Degree Burn” and countless other initiatives. I have high hopes that this endeavor will continue the great progress made so far in the reduction of violent crime by disrupting the gang’s criminal enterprise,” Thomas said.

The civil lawsuits are another move by Kane County law-enforcement to diminish the viability of street gangs in Kane County. In 2007, dozens of Aurora gang members and former gang members were indicted in about two dozen cold-case murders. As a result of the combined efforts of the Kane County State's Attorney's Office, the Aurora Police Department, the Federal Bureau of Investigation and the Kane County Sheriff's Office, many of those cases were solved; many of those gang members convicted and many are now serving lengthy prison terms.

Elgin police officials attribute the 2010 suit against the Elgin Latin Kings to a reduction in crime within the city.

"Elgin's civil lawsuit against the Latin Kings has been an important part of an overall strategy to combat gangs in our community. It has provided the police with an important tool that, when combined with our other prevention and enforcement measures, has helped to reduce criminal activity." Elgin Police Chief Jeffrey Swoboda said.

The complaint is a series of allegations which must be proven in court by a preponderance of the evidence. The defendants have the right to deny and challenge these allegations or to admit them or otherwise settle or resolve this complaint.