



JOINT PRESS RELEASE

Santa Ana Gang Task Force



99 MEMBERS AND ASSOCIATES OF MEXICAN MAFIA – AFFILIATED GANGS CHARGED IN OPERATION “BLACK FLAG.”

***Federal indictments allege racketeering by criminal enterprises operating in Orange County, CA,
Linked gang-related felonies charged at federal and state levels.***

Over five hundred law enforcement officers and agents executed arrest and search warrants this morning marking the culmination of a multi-year investigation by the Santa Ana Gang Task Force that resulted in five federal indictments and various state felony charges for gang-related crime. Members and associates of violent Mexican Mafia controlled gangs who claim the streets of Orange County as their territory were taken into custody for their roles in crimes and criminal enterprises alleged to be responsible for carrying out offenses including racketeering, extortion, narcotics and firearms violations, assault and murder.

The results of today's operation were announced today by representatives of the Santa Ana Gang Task Force member agencies, including: the United States Attorney for the Central District of California, André Birotte Jr.; FBI Assistant Director in Charge, Steven Martinez; Santa Ana Police Chief, Paul Walters; Orange County District Attorney, Tony Rackauckas; ATF Special Agent in Charge, John Torres; Senior Special Agent Daniel Evanilla with the California Department of Corrections and Rehabilitation; Captain Les Gogerty with the Costa Mesa Police Department; and Orange County Sheriff, Sandra Hutchens.

26 of the 57 federal defendants were arrested during today's early morning operation; while 25 were already incarcerated on unrelated charges. Six are considered fugitives and are being sought by members of the task force. In addition, eight of the state defendants were arrested today and three are considered fugitives. The remainder were already in custody.

Separate lists of the federal and state defendants are being made available on separate documents.

A federal grand jury in the Central District of California returned five federal indictments, the last of which was returned on Wednesday, June 29th, 2011. The federal indictments collectively charge 57 members or associates of the Mexican Mafia and the Forming Kaos street gang that claims its territory in the city of Costa Mesa. The five indictments allege a pattern of serious criminal activity ranging from drug trafficking to conspiracy to murder. Two of the five federal indictments charge violations of the federal racketeering statute, commonly known as RICO.

One RICO indictment charges a total of 28 defendants associated with an Orange County branch of the Mexican Mafia, an organization led by Mexican Mafia member, Peter Ojeda. Ojeda was previously indicted in 2005 in the Central District of California and is currently incarcerated in federal prison serving time for his conviction in that case. The second Indictment charges an

additional 17 defendants (11 with RICO) associated with the Forming Kaos street gang in Costa Mesa, CA, and details the gang's extensive ties to the Mexican Mafia.

The three remaining federal indictments charge an additional 13 defendants with a variety of narcotics trafficking violations, including the distribution of heroine, methamphetamine and cocaine, as well as a series of firearms offenses.

In addition to the federal indictments, the Orange County District Attorney's Office has filed various charges in connection with the alleged murder and assault conspiracies, to include gang enhancements.

The two federal RICO indictments are further described below.

The Orange County Mexican Mafia (OC Mexican Mafia); Peter Ojeda Criminal Enterprise

The indictment charging members and associates of the Orange County faction of the Mexican Mafia, headed by defendant Peter Ojeda, alleges the defendants engaged in conspiracies to commit murder, extortion, conspiracies to commit extortion, and narcotics trafficking for monetary gain. The defendants, according to the indictment, functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

The Mexican Mafia

The Mexican Mafia is a powerful and violent prison gang which controls drug distribution and other illegal activities within the California penal system and on the streets of Southern California by organizing Hispanic street gang members for the purpose of establishing a larger network for the Mexican Mafia's illegal activities. If a gang does not accede to the Mexican Mafia, the Mexican Mafia will assault or kill the gang's members who are not in custody, as well as those members who are incarcerated within the California penal system. In addition to intimidation through direct assaults, the Mexican Mafia is also able to assert control and influence over gang members outside the penal system because gangs do not want their members in the penal system to be assaulted or killed, and because the gang members know that, if they are incarcerated, they will need the protection of the Mexican Mafia while they serve their sentences.

As a member of the Mexican Mafia, or "carnal," defendant Ojeda maintained the primary leadership role among Hispanic street gang members in Orange County and his influence over gangs extended from the streets to the jail system. High ranking and intermediate level members of the F-Troop criminal street gang, as well as high ranking members of other Hispanic criminal street gangs, such as Delhi, Highland Street, Orange Varrio Cypress, East Side Santa Ana, Little Hood Santa Ana, McClay, Townsend, and Forming Kaos, made up the Orange County Mexican Mafia and assisted defendant Ojeda in exerting his influence over Hispanic street gangs and their members in Orange County, according to the indictment.

Ojeda ordered Hispanic criminal street gangs in Orange County to pay money as a "tax" or "tribute" which consisted of a portion of the proceeds the gangs earned from various criminal activities. In return, gang members were permitted to exert influence over their neighborhoods and territories and seek protection or assistance from the OC Mexican Mafia.

The indictment alleges Ojeda disciplined Orange County criminal street gangs and their

members who engaged in unsanctioned violence or did not pay taxes as required. The OC Mexican Mafia also disciplined any gang member who committed some act of disrespect to the organization, its members, or those protected by it. The discipline included “green lights” placed on the offender, meaning the gang or gang member would be physically disciplined or required to pay a “penalty”. The OC Mexican Mafia also disciplined members and associates of its enterprise and other gang members by putting them on a “Hard Candy” list, meaning the individual would be targeted for death by any member or associate of the OC Mexican Mafia.

Ojeda, who served as the unchallenged leader of the OC Mexican Mafia for decades, was transferred out of Orange County in 2007 to serve the federal sentence imposed as a result of his 2006 conviction in the federal Bureau of Prisons. At this time, another member of the Mexican Mafia, defendant Armando Moreno, attempted to take over defendant Ojeda’s leadership position in the OC Mexican Mafia and ordered Ojeda’s supporters to be placed on the “Hard Candy” list. Despite being incarcerated outside of California, defendant Ojeda maintained his leadership position in the organization and ordered those members and associates loyal to defendant Moreno to be placed on the “Hard Candy” list.

The girlfriends and wives of incarcerated members and associates are alleged to have been directly involved in the affairs of the OC Mexican Mafia and knowingly passed messages between members and associates of the OC Mexican Mafia. The indictment alleges these messages included “green light” and “Hard Candy” lists which resulted in individuals being targeted for assaults and murder.

The Forming Kaos (FC) Criminal Enterprise

The second RICO indictment charges members and associates of a criminal organization engaged in conspiracies to commit murder, assaults with dangerous and deadly weapons, extortion, conspiracies to commit extortion, and narcotics and firearms trafficking for monetary gain. This organization operated in Orange County and is known as the “Forming Kaos” criminal enterprise. The gang constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

FK members operated and claimed territory in Costa Mesa, California, primarily on the westside of the city and guard their territory against any encroachment from members or associates of any other criminal street gang. The indictment alleges FK members have and are willing to engage in acts of violence, including murders and assaults, to defend their territory, which they mark or “plaque” or “tag” with graffiti. FK members are expected to retaliate through the use of violence, including murders and assaults, against anyone who assaults or kills another FK member, or disrespects FK or its members. Those invited to join FK are typically “jumped in,” whereby they are assaulted by two or more gang members for a limited period of time by other FK members in order to prove their toughness and worthiness to join the enterprise. Some members can be “walked in,” whereby they can bypass being jumped in if they grew up in FK territory or have family members who already belong to FK, or they can be “crimed in,” whereby they commit a certain amount of criminal acts on behalf of the gang to show their loyalty to the gang.

In an effort to protect FK territory from rival gang members and to carry out retaliation against anyone who assaults or kills or otherwise disrespects its members, FK members share firearms and sell firearms to fellow members. They also engage in the sale of firearms for monetary gain to maintain FK’s status.

FK exercises control over narcotics dealers within FK territory by requiring dealers to pay a

“tax” to the enterprise on a regular basis. In return for paying the tax, the narcotics dealers are allowed to distribute narcotics in FK territory without interference from FK members, and they receive protection from rival gang members seeking to assault them. FK members themselves also engage in narcotics trafficking and rely on narcotics suppliers in order to make money for use by the enterprise. Additionally, FK aligns itself with the Mexican Mafia and collects taxes from individuals seeking protection. Many FK members have tattoos depicting their allegiance to the Mexican Mafia, such as the number “13” and/or two bars and three dots, which represent the Mayan symbol for the number 13.

According to United States Attorney Andre Birotte, Jr.: "Today's charges demonstrate that the Department of Justice is committed to dismantling the Mexican Mafia and the street gangs associated with the Mexican Mafia. No member of the Mexican Mafia, and no gang member affiliated with the Mexican Mafia, is beyond the reach of the law. Working with our partners at the state and local level, we will bring gangsters to justice, whether they commit their crimes on our streets or in our prisons."

FBI Assistant Director in Charge, Steven Martinez, said, "The Santa Ana Gang Task Force put years of effort into this complex investigation to find those responsible for the gang violence plaguing Orange County communities, including two major criminal enterprises calling shots on the streets and from inside prison walls. The serious charges the defendants now face, including RICO, are a positive step in ensuring the defendants face the consequences for the abundance of crimes alleged."

A dangerous criminal street gang has suffered a critical blow to its organization and to its ability to intimidate and extort residents in the Orange County area. The criminals targeted by this operation aligned themselves with the Mexican Mafia in order to ensure their stronghold on their territory," said John Torres, Special Agent in Charge of ATF's Los Angeles Field Division. "Today's operation has removed an insidious threat to the stability of our communities, and has sent a clear message to those individuals involved in gang activity that they will be pursued, prosecuted and removed from the very streets they seek to terrorize.

Senior Special Agent Daniel Evanilla with the CDCR said, "The California Department of Corrections and Rehabilitation-Special Service Unit is happy to have partnered with all of these agencies to again disrupt the criminal activities of the Mexican Mafia (EME) prison gang."

Chief of Police Paul Walters stated, "This operation is a prime example of what multi-agency task forces can accomplish to keep our communities safe. The collaboration in this case included local, state and federal resources and will bring some dangerous individuals who were operating at a sophisticated level to justice."

"Defendants who commit crimes to glorify their gangs and continue to commit serious crimes behind bars are some of the most dangerous individuals in our society. The only place they belong is in prison and the Orange County District Attorney's Office is committed to keeping them there for the rest of their lives," stated District Attorney Tony Rackauckas.

Lieutenant Mark Manley with the Costa Mesa Police Department said, "We're extremely proud of our participation and the fact that this large-scale investigation will undoubtedly result in a blow to one of our more historically active local gangs, as well as the larger criminal enterprise throughout Orange County."

Many of the federal defendants face mandatory-minimum prison terms ranging from 5 to 10 years, depending on the quantities of narcotics alleged and individual criminal histories, and maximum penalties of 20 years to life imprisonment. Federal defendants arrested today will make an initial appearance in U.S. District Court in Santa Ana this afternoon.

This case was investigated by the Federal Bureau of Investigation; the Santa Ana Police Department; the Orange County Sheriff's Department; the Bureau of Alcohol, Tobacco and Firearms and Explosives; the California Department of Corrections and Rehabilitation – Special Service Unit; the Costa Mesa Police Department – Gang Enforcement Unit; and the Federal Bureau of Prisons.

Multiple agencies assisted during today's operation, including Garden Grove Police Department; Tustin Police Department, Los Alamitos Police Department; Seal Beach Police Department; Irvine Police Department; La Habra Police Department: Orange County Regional Narcotics Suppression Program; California Department of Justice – Bureau of Narcotics Enforcement; Newport Beach Police Department and Orange Police Department.

The federal defendants will be prosecuted by the United States Attorney's Office. The District Attorney in Orange County will prosecute defendants charged by the state.

The Santa Ana Gang Task Force is one of many FBI Safe Streets Task Forces throughout the United States, funded for the purpose of assisting local police in identifying and addressing violent crime in America.

An indictment contains allegations that a defendant has committed a crime. Every defendant is presumed to be innocent until proven guilty in court.

Media Contact:

FBI Media Relations: 310 996-3343

Orange County Sheriff's Department: 714 904-7042

U.S. Attorney's Office: Bruce Riordan: 213 894-0480

Orange County District Attorney's Office: 714 347-8405

Santa Ana Police Department: Anthony Bertagna: 714 709-2043

ATF: Special Agent Chris Hoffman: 213 216-3622