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CRIME

4 men facing gang trial

ALLEGED UKRAINIAN MOB MAY BE A FIRST

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Sacramento County law enforcement officials have targeted a small group of Eastern European immigrants with histories of drunken violence and theft for the region's first-ever prosecution of what they have described as a Ukrainian street gang.

According to investigators, the group of an estimated 20 young men who have operated out of Rancho Cordova's White Rock Park neighborhood is responsible for as many as 100 police call-outs over the past three years. They include at least two brutal swarm assaults of fast-food employees and customers on Sunrise Boulevard, shakedowns and street beatings of their fellow Ukrainians as well as theft.

"This is a group that likes to work in a pack, as they have a pack mentality, showing up at various locations in groups of three or more," Deputy District Attorney John Grimes argued at the close of a recent preliminary hearing where four defendants were ordered to stand trial. "And when this group shows up in three or more, fighting ensues, violence ensues."

Prosecutors filed the Sacramento Superior Court case against three Ukrainian immigrants and a Moldovan friend who are all on probation and who collectively have been jailed on five felonies and 14 misdemeanors in the past three years. Their past convictions in

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clude offenses such as battery, burglary, theft, drunken driving, robbery, hit-and-run and evading police.

Besides facing new charges for felony assault, burglary and dissuading a witness, the four also have been accused of acting in concert — as a gang — under California's Street Terrorism Enforcement and Protection Act, which can bring more severe penalties.

Crips, Bloods, Sacramento's, Nazi Low Riders, assorted Russian and Armenian outifts, Latinos from north and south state, Asians of many ethnic stripes — they've all been hit under the 21-year-old law that adds prison time for crimes carried out for the benefit of, in association with, or in the furtherance of their street gang.

A dubious distinction

But not until now has any purported Ukrainian mob been targeted with the STEP statute in Sacramento. It also may be a first for the state.

"To my knowledge, this is the first time the statute has been applied to a law enforcement-identified Ukrainian street gang in this jurisdiction," said longtime Sacramento Deputy District Attorney Steve Harrold, head of his office's career criminal team and the former chief of its gang prosecution unit.

Dan Nallan, president of the California Gang Investigators Association, said he's never heard of Ukrainian crews.

"It's kind of a new one on me," Nallan said.

Sacramento County is home to 17,647 people who claim Ukrainian ancestry, second most in the state behind Los Angeles' 20,419, according to the 2007 U.S. Census update.

Yuriy V. Olynyk, founder and past president of the Ukrainian Heritage Club of Northern California, hasn't heard of any such gang. But he said its alleged existence didn't surprise him.

"These kids that came with the new immigration, they were kept in very strict confines of the Baptist and Pentecostal religion," Olynyk said.

Religion dominates some of "the kids' lives to the point where the kids, when they break away, either by graduating from high school or becoming more independent, they go absolutely to the other extreme," he said.

Some of the defendants' relatives confirmed their church upbringings. One of them is the son of a Baptist pastor, who declined to comment.

Florin Ciuric, director of public affairs for the Slavic Community Center, said he didn't think the group is a gang. He said the group is made up of "just wild kids that skip school and lie to their parents." He said that "under my umbrella, they would not class-

gued that prosecutors had "overcharged" their clients, that the authorities are off-base in applying the STEP statute. These Ukrainians, the attorneys said, don't fly colors or shoot people from cars, like the state's more traditional street gangs.

"I think the gang statute is being manipulated to increase the exposure these guys are facing," defense lawyer David M. Garland said in an interview.

Sacramento Superior Court Judge Patricia C. Esagro agreed that the Ukrainians did not constitute "the classic street gang." Still, she found that they acted as a group, had a common symbol in the form of a five-dot tattoo emblematic of having done prison or jail time, and that they flashed crude hand signs to designate their affiliation.

She found their "pattern of criminal conduct" and their "intimidation factor" supported a gang prosecution.

"These are very serious, extremely violent crimes which intimidate individuals in the community," Esagro said of the alleged offenses, before ordering the four to trial.

Beatings drew attention

The case stemmed from the beating Jan. 9 of a young Ukrainian immigrant who, according to investigators, stole some money and possibly a boom box that belonged to one of their pals.

Group members allegedly rushed the man outside an apartment building on the winding street where Mills Station Road turns into White Rock Road, roughed him up, chased him into a screaming woman's house and knocked him around some more — punching and kicking him an estimated 45 times.

Later, along the same street, the authorities said the group beat the first victim's brother and left him bloody and bruised.

A couple months after three suspects had been taken into custody, a fourth defendant confronted a witness and hit him in the head.

"Why did you put these guys in jail?" he asked the witness, according to police testimony at the preliminary hearing. He threatened to hit the man with a beer bottle, police said.

If the case holds up at its scheduled Aug. 11 trial, it would represent a culmination of five years of work for Sacramento sheriff's Deputy Burk Stearns. As a patrol deputy and later as a gang detective for the Rancho Cordova Police Department, Stearns had been tracking the defendants and their friend on the side streets south of Folsom Boulevard and east of Mather Field Road, and also along the Sunrise Boulevard fast-food corridor, up to the American River.

Stearns testified at the preliminary hearing. "I noticed that some of these guys had similar tattoos, and it was always a pattern in which they were committing crimes together."

In his testimony, Stearns said he first got the idea that the young troublemakers had morphed into a gang when he came across 10 of them Oct. 12, 2006, in White Rock Park. They were plotting strategy against other ethnic groups that had been giving them problems, Stearns testified. He said all four defendants in the current case had attended the session.

Judge Esagro affirmed Stearns as an expert on Ukrainian gangs — the first time that's ever been done in California under the state's 1988 street gang statute, according to Harrold. The designation allowed Stearns to report the defendants' charges in the context of their past offenses as well as those of their past running mates.

Long list of charges

Awaiting trial in the current case are Aleksander Borisovich Melnichuk, 21; Maksim I. Yemchuk, 21; Stanislav Dezhnyuk, 21; and Yuriy Mishchuk, 23. Melnichuk and Yemchuk are accused of attempted robbery, burglary, assault and battery. Dezhnyuk is accused of assault and attempted assault. Prosecutors say it is Mishchuk who tried to dissuade the witness. All the charges resulted from the alleged Jan. 9 beating on Mills Station Road.

Two other members of the group have already been sent to prison on other cases, and a third looks like he's on the way.

Yevgeniy Sonnik, 21, received a four-year term for convictions that included a beer-bottle beating on Nov. 13, 2007 — a rib-kicking and nose-breaking attack on an employee at an In-N-Out Burger on Sunrise Boulevard.

Igor Bably, 29, got eight years for commandeering a man's car on Sept. 16, 2007, at the same In-N-Out, forcing him to drive to a gas station and put \$20 worth of fuel into a friend's car, and then — on the same night — assaulting a liquor store owner after stealing a bottle of vodka. Sergey Antoly Atamanyuk, 20, who

rolled with Bably, has since been convicted of robbery and assault for that night's work. He awaits sentencing.

With three members convicted and four awaiting trial, Stearns said in an interview that Ukrainian gang activity in Rancho Cordova has "pretty much stopped."

"No more assaults, no more calls for service," from the sheriff's department, Stearns said in an interview. "These guys we have in custody seemed to be the catalyst."

Pair innocent, families say

Relatives of two defendants proclaimed their innocence.

"They say they are like gangsters — it is not true," said Nadia Yemchuk, who described her son, Maksim, as "a good boy."

Court records showed that Maksim Yemchuk is on probation for participating in the attack on the In-N-Out employee. Yemchuk's record also shows a felony conviction for grand theft.

At Aleksander Melnichuk's house, the defendant's uncle, Vasily Bably, said his family has been devastated by the charges. Bably said his nephew was "all the time good."

Melnichuk is on probation, for participating in the beating Nov. 3, 2007, of a man who was left unconscious at White Rock Park. The victim told police he believed his attackers were "involved with Russian organized crime," Stearns testified at the hearing.

Mishchuk is on probation for the same White Rock Park beating, court records show.

Dezhnyuk is on probation for misdemeanor burglary. He also has misdemeanor convictions for second-degree burglary, DUI, hit-and-run and car theft. His father, the pastor of a Baptist church on Coloma Road, declined to comment.

In an interview, Stearns said he hopes the prosecution of the four will send a message to the neighborhood "that the laws actually will catch up to the criminals at some point."

"I know some of the victims thought our laws were too soft," Stearns said.

Call The Bee's Andy Furillo, (916) 321-1141.

A TRAIL OF FEAR

Sacramento County law enforcement officials have filed their first-ever prosecution against what they've described as a Ukrainian street gang. Once active along the Sunrise Boulevard corridor and the White Rock Park neighborhood of Rancho Cordova, the immigrant group has since been quelled by the law enforcement crackdown. Until then, authorities say, the group — dubbed "White Rock Park" by local law enforcement — was believed responsible for an estimated 100 incidents over three years, including a few particularly brutal attacks. The four defendants in the current case each have lengthy criminal records.

Stanislav Dezhnyuk, 21
Aug. 6, 2007, second-degree burglary
May 31, 2007, DUI

May 31, 2007, driving with suspended license

Feb. 28, 2007, reckless driving

Sept. 21, 2006, failure to report property damage in auto wreck

Jan. 26, 2006, vehicle theft

Aleksander Borisovich Melnichuk, 21

Sept. 19, 2008, felony battery

Aug. 1, 2007, theft

May 24, 2007, DUI (2 counts)

Yuriy Mishchuk, 23

Sept. 19, 2008, felony battery

April 24, 2007, felony vehicle theft

April 24, 2007, DUI

March 27, 2006, grand theft

March 27, 2006, DUI

April 19, 2005, minor in possession of alcohol

Dec. 10, 2004, theft

Maksim I. Yemchuk, 21

June 19, 2008, felony assault

Jan. 22, 2007, felony grand theft

CRIMES BLAMED ON WHITE ROCK GANG MEMBERS

1. SEPT. 16, 2007

Two men confront customer at an In-N-Out Burger at 2475 Sunrise Blvd., force him to drive to nearby gas station and buy them \$20 worth of gasoline. Suspects drive to Sunrise Food and Liquor at 2271 Sunrise, steal bottle of vodka and beat up store owner.

2. NOV. 3, 2007

Group of young men beat up a man and leave him unconscious in White Rock Park.

3. NOV. 13, 2007

Group of young men attack an employee at the same In-N-Out Burger on Sunrise Boulevard, hitting him on the head with a beer bottle, kicking him in the ribs and breaking his nose.



4. JAN. 9, 2009

Group of young men attack an acquaintance on 10300 block of Mills Station Road. Victim runs into woman's house. Attackers follow him inside and continue the beating. Victim's brother is assaulted later.

Source: Sacramento Superior Court records
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