

Work Group on Gang-Related Violence September 10th-11th Meeting Summary

The Work Group on Gang-Related Violence held its third meeting September 10th-11th 2007 in Spokane, Washington. Below is a summary of the two-day business meeting, the Spokane gang investigators presentation, and the community hearing.

Business Meeting 10:00AM-12noon

Workgroup members in attendance: Rep. Christopher Hurst, Rep. Charles Ross, Tim Thrasher, Don Wilbrecht, Terry Hayes, Janice O'Mahony, Bonnie Glenn, Ron Wilson, Ken Irwin, Bob Hicks, Tanya Kim, Chris Johnson, Brad Blackburn, Steve Lowe, and Dan Fessler.

Other non-workgroup members in attendance: John Sattgast – House Republican Caucus, Tim Braniff – Washington State Patrol, Brad Richmond – Spokane GET, Mike Roberge – Spokane GET, Mike Kittilstved – Spokane GET, Mary Williams – GJAC, Deborah Dunn – Spokane Juvenile Court Services, Jennifer Shaw – ACLU, and Rosland Jenkins –Commission on African American Affairs.

The meeting began with a series of introductions and announcements. Senator Honeyford was appointed to the work group to replace Senator Clements. However, as Senator Honeyford did not attend previous meetings and was unable to attend this meeting, he deferred his Co-Chair position to Representative Charles Ross. The work group agreed this was an effective change.

Civil Injunctions

Chair Rep. Chris Hurst provided the group with a summary of a conversation he had with a detective in Oxnard, California regarding civil injunctions. Since implementing civil injunctions, Oxnard has arrested 175 gang members and it was seen as an overwhelming success in identifying and relocating hard core criminals. The civil injunctions in Oxnard are served to an entire gang. Then, anyone fronting that gang's colors or signs can be arrested. Contrastingly, in San Diego the civil gang injunctions must be applied to individual people. There have not been any court challenges to the civil injunctions in either Oxnard or San Diego because 100% of those charged pleaded guilty. However, in determining a recommendation from the work group, the legality and constitutionality of civil injunctions needs to be addressed. Also, Minnesota recently introduced civil injunction legislation so a closer look at that might also be helpful.

For the next meeting:

1. Summary of Current Nuisance Laws & their Application at the Local Level
 - a. Yvonne Walker, Counsel, House Public Safety & Emergency Preparedness Committee
 - b. [TBA: AWC Provided Municipal Attorney]
2. Presentation on Onxard, California's use of civil anti-gang injunctions
 - a. Detective Neil Holland, Oxnard Police Department

3. Presentation on State Statutes Authorizing Civil Anti-Gang Injunctions and Completed Case Law
 - a. [TBA: AGO]
 - b. [TBA: WAPA}
4. Presentation on Concerns with Civil Anti-Gang Injunctions
 - a. [TBA: ALCU]
 - b. [TBA: WACDL]
5. Group Discussion on Civil Anti-Gang Injunctions
6. Other Business

Corrections to the meeting summary

Bonnie Glenn needs to be added to the 'in attendance,' list; reference to the interpreter's testimony needs to be added; and the list that the community meeting announcement was sent to should be included.

The group as a whole broke up into subcommittees until noon.

Spokane Gang Investigators Presentation

The Spokane Gang Investigators gave a presentation during the lunch hours to portray the gang problem in Spokane. During their presentation, they presented a slide with multiple suggestions on how to help solve the gang problem in Washington.

- Statewide standardized criminal gang member confirmation criteria
- New sentencing enhancements for gang members involved in crimes
- GangNet
- Mirror California officers' authority to search community custody inmates
- Address/add stricter penalties/sentences on felons arrested with firearms (i.e. no community custody for felons arrested with firearms.
- State assistance for witness relocation.

The group as a whole broke up into subcommittees until 4:00PM.

Community Hearing – 4:00PM-6:00PM

The Spokane Community Hearing was held at the Spokane County Sheriff's Office Training Building on the Spokane Community College campus. Sixteen members of the community attended. Below is a summary of the testimony presented and a list of those who testified:

Summary of community suggestion

- Enhanced sentencing for behavior-based laws.
- Provisions for generational/recruitment-based statutes.
- Reach out to the Hispanic Community.
- Don't politicize the issue.
- Require juveniles to receive mentoring and assistance beyond their sentence. Short-term juvenile detention doesn't allow enough time to truly impact and change the kids.
- Establish a standard definition for the state.

- Understand and remember there is a difference between youth and adults, use rehabilitation and education instead of locking them up.
- There is a good juvenile justice system now, don't change it.
- Balance suppression with prevention and intervention.
- Consult the schooling system – are schools a breeding ground for gangs?
- Help clean up the graffiti in the neighborhoods; perhaps require the graffiti to be removed within 24 hours.

Testifiers

Anne Kilpatrick – Spokane Police Chief; Ozzie Kenevich – Spokane County Sheriff; William Monger – Shift Supervisor for Juvenile Detention and NWGIA member; Michael Yates; Rand Young – former Juvenile Court Administrator and manager of the Juvenile Detention Center; Gail Prosser; John Martin; Eric Bolstad; Hal Ellis; and Christy Hamilton – Director of Spokane C.O.P.S.

The announcement for the community hearing was sent to the following people/organizations: the Spokane County Sheriff, the Spokane Chief of Police, legislators from the the 3rd Legislative District, the 4th Legislative District, the 5th Legislative District, the 6th Legislative District, the 7th Legislative District, and the 9th Legislative District, each City Councilmember for the City of Spokane, each County Councilmember for the County of Spokane, the Mayor of Spokane, the Spokane County Chief Executive Officer, the Spokesman Review, the Human Rights Commission, the Commission on African American Affairs, the Governor's Office of Indian Affairs, the Commission on Hispanic Affairs and was distributed through the Legislature's meeting announcement system.

Business Meeting – Day 2

9:00AM-10:00AM - Presentation from Janice O'Mahony: Best practices for Prevention and Intervention of Youth Gang Membership.

10:00AM-11:00AM - Presentation from Bonnie Glenn: Q & A with Former Gang Member Dustin

Dustin identified more job opportunities as being key to helping prevent youth from entering gangs. He also agreed that covering up graffiti and increased penalties would help suppress the gang problem.

Group Discussion

The Prevention and Intervention subcommittee suggested the following proposal:

- Make no juvenile justice reforms.
- Restore communities with a short-term solution that demonstrates that the state cares and is doing something. (Suggested that this could be establishing a graffiti-free Washington initiative).
- Effective 09-11, select 5 pilot sites. Put together an RFP and let the requesters determine what they need and then learn from those projects as they are implemented

This proposal was never agreed upon by the group, but is a likely place to start for the next meeting.

The suppression group reported the following:

They had reached agreement that there should certainly be a statewide database.

However, they have not yet reached a consensus on enhancements. The civil injunction issue will now be addressed by the group as a whole.

In an effort to move forward with the report, a tentative outline was established:

- Executive Summary

- Background (charge of legislation)

- Membership of Work Group

- Summary of our process (meeting sites, governance, etc.)

- Basic Assumptions – 3-legged stool; separate juvenile and adult justice system

- Findings and recommendations (based on public testimony and our discussion)

- Reference materials

1:00PM - Presentation from Tom Gates: GangNet

2:00PM - Presentation from John Martin: Western States Information Network