



Gang Injunctions: Target Violent Criminals, Not Vulnerable Youth

“Anti-gang” legislation being promoted by Attorney General Rob McKenna would make crime problems worse, targeting vulnerable youth for prison instead of giving them resources they need to stay out of gangs. Instead of going after those committing violent crimes, the bill pushes expensive civil and criminal sanctions that could result in innocent people being arrested. Even worse, youth sent to prison would meet and learn from real criminals. We can’t afford this expensive distraction—we need a smarter approach to gangs.

We Know What Works to Tackle Gang Crime

Study after study across the nation shows what works to tackle gangs. We need to arrest and charge kingpins—a relatively small number of individuals who are committing violent criminal acts. But we can’t arrest our way out of the problem—we also need to provide susceptible youth with alternatives to keep them out of gangs.

Injunctions Target and Jail the Wrong People

McKenna’s legislation ignores these proven methods and targets vulnerable individuals who need help, not prison. In addition to ratcheting up criminal penalties, it allows civil orders—known as injunctions—to be issued against people law enforcement thinks may be gang members.

McKenna is promoting these injunctions as a “kinder” alternative to criminal sanctions. But they are just as bad, or worse—no attorney is provided to help teens defend themselves, the state need not prove its case beyond a reasonable doubt, and factors such as who a teen hangs out with or how he dresses could land him on the list. So innocent individuals will be swept into a broad net. And

youth of color are impacted most heavily because the way they dress may fit gang stereotypes.

Jailing Vulnerable Youth Makes Crime Worse

Once an injunction is issued, a young person may be banned from being in an area and could be charged with a crime just for returning there—even if he has never committed any other crime. But this approach only strengthens gangs by cutting off youth from the resources—like family members, jobs, sports, and school—they need to stay out of gang life. And if they are arrested and charged with violating the injunction, they can be sent to adult prison, where they meet real criminals. In fact, we will be using our precious public safety resources to send them to “gang school.”

Injunctions Have Failed Elsewhere

California has tried the injunction approach for years, and it has failed. There are no studies that show that injunctions reduce crime. In fact, experts believe injunctions simply move crime to other areas. Paying to shuffle crime around neighborhoods is a short-sighted approach that wastes money Washington doesn’t have.

We Can’t Afford this Bill

McKenna’s “anti-gang” legislation uses methods that have failed repeatedly elsewhere. The bill makes crime worse—let’s do what works instead.

Violent criminals should be arrested and jailed, and vulnerable youth should get resources to keep them out of gangs. McKenna’s bill does neither. We can’t afford this distraction—please vote against Rob McKenna’s gang legislation.