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Local

Police chief: District's anti-gang laws ineffective

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WASHINGTON -

Anti-gang laws predicated on enhanced jail sentences have not deterred gang activity in D.C. since their adoption nearly two years ago, Police Chief Cathy Lanier recently told the D.C. Council.

An omnibus crime bill adopted by the council in June 2006 made it illegal to commit any felony or violent misdemeanor "for the benefit of, at the direction of, or in association with any other member" of a criminal gang. The enhanced penalty: five years in prison, a \$5,000 fine, or both.

"The 2006 anti-gang statutes have had little impact in deterring gang-related crimes within the District of Columbia," Lanier wrote in response to questions posed by the council's public safety committee.

In the case of juvenile gang members prosecuted by the D.C. attorney general, Lanier said, the enhanced jail sentence has been used only 12 times since the law was enacted, but in all of those cases the charges "were later dropped through plea agreements or because the prosecuting attorneys were satisfied with other felony or violent misdemeanor convictions."

The U.S. attorney has used the enhancement only twice in the case of adults, Lanier added.

Monty Wilkinson, a spokesman for the U.S. Attorney's Office, said federal prosecutors haven't employed the local laws because federal statutes such as the Racketeer Influenced and Corrupt Organizations Act and conspiracy allow for more flexibility in terms of penalties.

Testifying before the council in 2005, former D.C. Attorney General Robert Spagnoletti said the anti-gang measure "creates a deterrent" against recruiting young people into gangs, while holding members accountable for their criminal actions. But Councilman Phil Mendelson, who chairs the public safety committee and supported the legislation at the time, said the city "can tinker with longer sentences and enhanced penalties all we want to and it won't have a deterrent effect."

So what does work? It's the "certainty of being caught," Mendelson said.

In the last six months, the city has witnessed a barrage of gang-related violence especially in the Columbia Heights and Shaw neighborhoods. The high-profile shooting of four students at Ballou Senior High School was the result of a dispute between warring neighborhood crews.

The police department has responded by consolidating its gang and violence units, investing in gang intelligence, relying more on foot patrols and spending \$1.8 million on ShotSpotter technology, which helps authorities pinpoint the location of gunshots.

The 2006 gang law

- Soliciting, inviting, recruiting or encouraging a person to become a gang member: Six months in jail, \$1,000 fine or both.
- Participating in any felony or violent misdemeanor committed as part of a criminal street gang: Five years in jail, \$5,000 fine or both.
- Threatening to use force, coerce or intimidate any person to join or participate in a gang: 10 years in jail, \$10,000 fine or both.

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