

MINUTES

Juvenile Crime, Graffiti and Gang Violence Task Force Meeting

Wednesday, January 28, 2009

5:30 p.m. at Loaves & Fishes Board Room

514 S. "E" Street

Harlingen, TX

Members Present:

George McShan, Adam Trevino, Chief Danny Castillo, Dean Hall, Gabriel Gonzalez, Gerald Gathright, Tom Hushen, Larry Galbreath, Jim Solis (*arrived at 5:45 p.m.*) Dr. Susan Ritter (*arrived at 5:45 p.m.*)

Guests Present:

Rene Garza, Robert Leftwich, George Merrill

The task force convened at 5:30 p.m. with the members stating their names.

George McShan welcomed those members present and thanked them for their service and contribution to the task force. He stated they've had five Town Hall meetings in different schools in Harlingen with participation from the media. He thanked Gabe Gonzalez and Chief Danny Castillo for their active role and the elected officials for their support. He thanked Dean Hall for allowing them to use their facility and Gerald Gathright for his progress with youths. He thanked the Faith Based Community for being present and thanked the District Attorney's Office for their support. He advised that Judge Menton Murray was not present because his mother turned 92 today. He advised that Dr. Ritter would be arriving shortly and turned the meeting over to Gabe Gonzalez to go over the report that was being presented tonight. The first 11 pages of the report dealt with recommendations and data. He asked them to review the report that was being presented and provide their feedback. The task force would be meeting again and then they would be presenting the report to the City Commission. He felt this would be an on-going project.

Gabe Gonzalez advised that the first 11 pages were the 'meat' of the document. He apologized for not presenting the report to them any sooner but he had just finished some aspects of the report this morning. He asked them to proceed to page 3. The first part of the document deals with statistics. He asked them to look over the district map, which outlines the gang violence by district. District # 130 has had the most degree of violence. "F" Street serves as the divider between District # 130 and # 131. This is the where Officer Diaz was shot and is a high gang activity area. He asked them to turn to page 8 showing a comparison of the crime in Valley cities. A comparison for Valley cities of the juvenile crime from 2003 to 2007 showed that Harlingen was ranked second with a 50% increase in overall crime for that period. San Benito, Brownsville and McAllen experienced a decrease in crime during that time period.

Gerald Gathright commented it might be due to the lack of arrests by those City's police departments.

Gabe Gonzalez asked them to look at 2007 rank by number of arrests for juvenile crime. This showed that Harlingen ranked third with 790 and McAllen ranked first with 1,045. This illustrated the problems they have to deal with and why the public perceives gang violence being a problem in Harlingen. Up to that point, the report contains all data information. They collected mostly from the crime stats that the Chief puts out from his department. Page 9 has the recommendations.

Tom Hushen asked about page 3 statistics from 2003 to 2008 and if he was able to determine which year had the most increase?

Gabe Gonzalez responded that he made a comparison for 2003 to 2007. The Mayor asked them to put together a comparison of the last five years. If they wanted to see the actual data—that was included in Exhibit VII. This showed the arrests by City and year. They have to add the total up top of 237 plus 553 to get the number of 790.

Tom Hushen noted a trend in increase over the last year for Harlingen in arson and forgery. The major crimes seem to have decreased.

Gabe Gonzalez asked them to look at page 4—the chart on the bottom. It shows a comparison by those crimes as a percentage increase or decrease for those years of 2003 to 2007. The biggest increase was in disorderly conduct with an increase of 190%.

Chief Castillo stated they should keep in mind that these stats are dealing strictly with apprehension. It doesn't really mean the number of occurrences. This is the enforcement action they took on apprehension of suspects. Some cities may have a lower apprehensive rate than the City of Harlingen—but their number of incidences may be a lot higher. Part One crimes are the major crimes tracked by federal standards and then the other crimes going back to section 7—then you add them up for total arrests.

Gerald Gathright stated on page 3 it says that of the 790, 30% were male and then it says 30% again—that didn't add up (maybe it should be 30% and 70%?). This was at the bottom of the page 3.

Gabe Gonzalez concurred that was a typo. The figure should be 70% were male and 30% were female.

Gerald Gathright asked if there were any records of reports where someone would have called and perhaps said, 'there's big a gang fight' but they all scatter before the Police arrive?

Chief Castillo commented that everything that is in the handout—some of that information was put into the general report. On page 3, with regards to violence by districts—that was not just number of arrests but also incidences reported to them. They've been able to determine those as

gang related. Everything in the handout deals with every record or report related to gang violence.

Larry Galbreath stated that a lot of times someone might call in but refuse to leave their name due to being afraid of the gang members.

Chief Castillo advised that the stats in the report are offense reports, incidents and cases they worked on.

Tom Hushen asked if it was possible to break it down by year, such as in 2005 we had more/less of a certain activity, etc?

Gerald Gathright stated the population growth is considerably greater from 2003 to 2008. Obviously there would be more offenses if there were more people.

Dean Hall asked if there was a correlation to drug use in those areas?

Chief Castillo advised it was well known that the way these juveniles fund any gang activity is thru drug related sales. But he hasn't done any specific statistical breakdown on that because some of those numbers would be hard to do.

Gabe Gonzalez advised there's been an 24% increase from 2003 to 2007 in drug abuse in juveniles.

Dean Hall asked in reference to drugs—the report says they had 99 incidences—were they committed in district # 130 and # 131?

George McShan acknowledged Jim Solis (Co-Chair) and Dr. Susan Ritter (UT Brownsville) who arrived to the meeting at this time (5:45 p.m.). He brought them up to speed on what they were discussing.

Gabe Gonzalez stated that Dean Hall was asking about any drug correlation with gang activity and an increase in crime. He commented that the disorderly conduct arrests were an 'eye opener' at 190% increase from 2003 to 2007. If anything has correlation in gang activity that in itself was a big factor.

Tom Hushen asked if that had a lot to do with the School District being involved?

Chief Castillo advised they have taken an aggressive stand on apprehension and that was one aspect that was taken into account.

Gabe Gonzalez stated this was historical data on arrests. He advised that he went thru the minutes (Exhibit V) and made a list of the recommendations made at the public meetings. Although he didn't take every single recommendation that was made because some were unattainable. He also took the recommendations of the Task Force and wrote them down. One recommendation that the Task Force mentioned that no one talked about at the public hearing

was the program that the City of Dallas started on requiring their front cashiers to have visibility so they can see thru the front window. That is listed on page 10 under policy recommendations. Another program that the City of Dallas has started is banks voluntarily asking their patrons to remove any hoods, sunglasses and caps. It's not an ordinance requiring them to do that but it's just a request. They are doing that to try to deter crime in banks. That might deter incidents from becoming a problem in Harlingen. They've had a few issues with robberies. He asked if the task force wanted him to go thru all the recommendations or if they wanted to review them on their own.

Tom Hushen stated he'd like to look at them and maybe get them prioritized. Some would cost money and some wouldn't.

Gabe Gonzalez stated that the very first one listed is the demolition of dilapidated structures.

Tom Hushen agreed that was a very important issue.

Gabe Gonzalez advised that he listed that as number one due the number of occurrences from the public meetings. Also, in their packets (Exhibit VI) there was a list of the dilapidated structures.

Tom Hushen stated that was a good list to see.

Larry Galbreath asked if they had talked to the railroad about the structures along the railroad?

Gabe Gonzalez responded they have and they would be having a meeting next week to talk about not only railroad structures but also other warehouse structures. Those warehouses will be added to the list. They did send the railroad a list of 12 structures and they responded that only one structure belonged to them.

George McShan asked the task force to review the recommendations and separate those that required funding from those that didn't.

Gabe Gonzalez advised that if they wanted to see a quick response, the City Commission would probably have to earmark some monies.

Robert Leftwich concurred that was needed because some owners may not want to spend money to tear down their structures and/or they might live out of town.

Gabe Gonzalez affirmed this issue came up at four of their public meetings—with people complaining about dilapidated structures.

Larry Galbreath stated tagging brings a neighborhood down.

George McShan mentioned those structures become 'crack houses' and such.

Gabe Gonzalez stated that under policy recommendations he tried to list those items that wouldn't necessarily involve an outlet of cash on behalf of the city. Such as adopting an

ordinance to have convenience stores have their front windows clear and using RICO Statutes to go after organized criminals.

Tom Hushen mentioned that some of their recommendations may not necessarily cost them money but to set an ordinance might cause hardship especially for the 'mom and pop' stores. He thinks there's a Florida convenience store act that became a state law related to that issue. Perhaps they could get copies of that law and taylor it to get something done throughout the state.

Gabe Gonzalez stated that the City of Dallas has required convenience store owners to have at least three high-resolution cameras in their stores. That would cost the storeowners money but it's something the police can use as a tool to try to arrest somebody if there's been a crime committed.

Tom Hushen stated having two clerks work the midnight shift and having 70% visibility thru the windows was in the law also. The cameras are good but if it's high-resolution cameras that would cost more money versus just having a camera.

Gabe Gonzalez stated that was up for debate for the task force to consider whether or not to put that in as a recommendation for the City Commission.

Tom Hushen asked Chief Castillo if gang related crimes were a main problem dealing with the convenience store issue? He asked if this would help curb the problem?

Chief Castillo commented that it was a problem but he didn't see it 'stick out' as far as one of the main contributors to gang violence. It was more of general crime prevention.

Robert Leftwich stated they should look at the numbers.

Rene Garza stated that they listed larceny for 2007 as a total 777 but from his personal experience in the juvenile system he really didn't see too much of larceny other than shoplifting at Target, Walmart etc. He sees maybe one or two beer runs from the City of Harlingen but nothing major. He applauded the task force in trying to get the stores to have high-resolution cameras but didn't see how it related to juvenile crime in Harlingen.

Gabe Gonzalez stated it was meant as a deterrent.

Tom Hushen advised it was a good idea and they could look at that thru the city at an ordinance level. He wasn't sure if it should be a high recommendation to the City Commission from the task force or not?

Gabe Gonzalez advised that the issue about having the storefront have clear view of the cashier came up here and he added it to what other cities were doing.

Tom Hushen advised that was an easy one requiring 70% visibility, which could be passed with an ordinance, but when we require them to purchase equipment—then that would be tough.

Gerald Gathright stated they could maybe change the word 'require' to 'recommend'. He didn't know how the 70% visibility would apply to buildings such as the Boys & Girls Club—being solid buildings.

Gabe Gonzalez advised that it only applies to convenience stores.

Tom Hushen stated it's broken down by convenience store, downtown districts and other businesses. If you're opening up a business in the downtown, or on "F" Street, etc. then the way they could target the area was with an overlay district versus trying to do convenience stores everywhere. A simple solution is if you're seeing that the target area is going to be # 130 or # 131 along "F" Street then they could do an overlay district and change the lighting and visibility ordinances. That might be easier than doing it citywide.

Gabe Gonzalez stated the issue about lighting in neighborhoods came up a lot also. Individuals wanted additional lighting. What they could do was base it on crime. For example they could start with districts #130 and #131 where the highest juvenile crime has occurred.

Tom Hushen stated they should start in that area as an overlay district and then branch out from there. Once that district is passed, they could change the lighting in the area and any new businesses have to meet the new standards.

Gabe Gonzalez asked if that would only apply to convenience stores?

Tom Hushen suggested they do it for the whole "F" Street corridor. He talked with Jim Solis who has a business in that area and Jim had mentioned that most of the business owners would probably be in agreement of having some type of uniform lighting. Perhaps they could get the lighting equipment donated from the light companies.

Gabe Gonzalez stated they could mold bullet # 4 to what Tom was taking about targeting districts # 130 and # 131.

Chief Castillo stated during their zero tolerance enforcement a lot of the gang activity in the # 130 and # 131 has gone down drastically. A lot of it migrated to the # 111 district behind DPS Office.

Tom Hushen stated the purpose was to make "F" Street more 'friendly' with 'more eyes' out there.

Jim Solis asked what relationship the City had with AEP when they replaced burnt out bulbs in the City. When he was in the legislature before, he would call and the bulb would get fixed immediately. It seems like now they don't replace the bulbs as fast.

Chief Castillo stated that his department turns in a list every month to the light company.

Gabe Gonzalez suggested they ran an ad in the paper asking the public to report the pole number to any lights that are out.

George McShan stated they should also get their state representatives involved—as public servants they would welcome it.

Someone stated that previously they were talking about getting a teen center and community involvement. Perhaps they could do that in the Hygeia area to get kids involved.

Gabe Gonzalez stated the kids brought up that idea of having teen centers to provide them with activities.

Tom Hushen advised he spoke with a business owner along “F” Street that was willing to donate some land. If they donate the land, perhaps they could get investors to help with the building and all they probably were looking at was maintaining the building. They don’t have a teen center that deals with art and music. He was talking about violin or other instruments. Harlingen is the only school in the area that doesn’t have an orchestra. One of the recommendations was they wanted to write plays and act. If they choose to do sports—they already had facilities for that. But if they wanted to do tap or dance—they didn’t have facilities offering that such classical music or other activities like that.

Gerald Gathright commented that the school district has a vacant building—the former parent involvement center. The problem comes with staffing the facility and paying for it. The type of facility they were talking about would be a very expensive operation. Especially if they were talking about buying equipment. They were talking about perhaps \$1 million plus just to get started—assuming the school leases the building to them. They would have to have security officers and it was large undertaking.

Tom Hushen stated perhaps they could get grants.

Dr. Susan Ritter commented some students perhaps could perform their internship in the facility.

Jim Solis commented he would be willing to donate 1.3 acres right across the Hygeia building. Lee Richards would love it because he would have more clientele going to the dairy bar. He goes there and enjoys the atmosphere. He encouraged the task force to visit the dairy bar.

George Merrill stated it seemed as though Gerald Gathright was well aware of the costs associated with running a facility like they were proposing. He knows what is required as far as the overhead costs. He asked what if they used a non-profit group? They could help staff the facility and it wouldn’t necessarily cost a lot.

Jim Solis commented perhaps the law would allow for them to create an umbrella under an existing non-profit organization.

Gerald Gathright advised that non-profit organizations can run a lot of different programs but they needed to look at the after fact. They needed to sustain the facility. The initial reaction is that the community will support these programs but they couldn’t go to the same people time

after time requesting funding. They needed to have a program that would be here year after year with just the kids changing. Maybe the City or County would be able to fund this facility. There are start-up grants but what do they do after the grant money runs out.

Tom Hushen advised getting the County involved was a good idea as the City pays a bulk of the county's taxes.

Gerald Gathright advised the County's financial situation wasn't too good right now.

George Merrill advised there were faith based community grants that could sustain this type of facility such as the infrastructure expenses.

Gabe Gonzalez commented they mentioned prioritizing the recommendations. He felt probably everyone agreed that demolishing dilapidated structures should be number one. They probably wouldn't get through all the recommendations at this meeting. They could prioritize the recommendations by those that require funding and those that didn't. Or they could just have one list. He asked the board what they preferred to do?

Tom Hushen stated they should take the recommendations home and work on prioritizing them for the next meeting.

Gabe Gonzalez asked them to prioritize the recommendations and drop them off at his office beforehand. This way he could prepare the revised list for their next meeting. Perhaps the Commissioners could mark those recommendations that require city action. He asked them to bring up any idea that they might have which hasn't come up at any meeting.

Tom Hushen advised the overlay district was one such idea.

Jim Solis asked what bullet point # 2 on page 10 meant?

Gabe Gonzalez advised the issue of gang colors came up at one of the Town Hall meetings.

Chief Castillo commented that is something they have on file allowing them to develop associations between the different gangs. Another item pending with the City Attorney's Office is how other cities such as El Paso are incorporating court injunctions. If they are able to identify gang members by their colors—then these individuals cannot congregate and the law is backing them up. This dismantles their ability to work as a unit. They've developed an extension amount of detailed intelligence that will support this idea.

The board discussed this item.

George Merrill commented that if you go down 2 points it reads 'increase police officers and patrol units'. He personally feels that if they give the Chief manpower (this is more of a City Council issue) that would help. He recommended using reserve officers. He asked one of his neighbors who was a retired officer from California where he told him they used reserve officers (retired officers) for many of the programs.

Tom Hushen advised that a few years ago they were talking about reserves. At that time the issue of liability came up.

Chief Castillo advised that TECLOSE and some of the regulations involving reserve forces are becoming a lot more restrictive. If you have a reserve force, there's a lot liability involved. If they are going to look at increasing numbers they should look at increasing the established force.

Robert Leftwich advised the school district needed to develop their own police force. This would free up our officers time for other activities.

George McShan advised that a lot of school districts have their own police force. He believed that working together among the school and city would work better. He has been opposed to the schools establishing their own police department. Many of those who have one are now posing a financial issue for taxpayers. He could not see why they should have a different police department in the school district. They are working closer with the police department now than ever before. They have a formula of an X number of students to a teacher. They have so many people and a certain number of police officers. They should compare the ratio of police officers to citizens in this city to other cities.

Robert Leftwich advised that's why he and Tom voted against the annexation. They haven't increased the staffing for law enforcement and they are taking on annexed areas.

George McShan advised that as the task force they needed to be realistic in their recommendations to the Mayor and Commission.

George Merrill asked for clarification on the data that Chief submitted. Over the last couple of years the data show a progressive increase. He asked George McShan if he was opposed if somehow they could facilitate the use of police officers in the schools. From what he understood San Benito ISD was starting to use probation officers at the schools.

George McShan stated they have that program in place at South and Harlingen High. Their data has shown a spike in ninth grade. At this grade, 13/14 year olds need to earn credits in order to become sophomores. If they don't get the credits needed, then for some reason they start to rebel and act up. It seems that school districts are not doing well with ninth graders. They're going to have to restructure and put resources into this grade. You have to spend time with those students. The well-educated kids don't have a problem. Having a police force in the district would not help the problem. What they should do is do a better job in educating the kids. On top of that, they should look at the investment they are making with police officers to patrol to keep citizens safe.

Tom Hushen concurred with his apprehension towards getting a separate police force. What about looking at being able to 'buy' officers from the city and this would free up funds for the city to hire new officers? The problem is that the City is supplying the school district with the officers—which they are paying for—but the cities are not hiring to cover those. So they are basically taking officers from the street to put them at the two high schools. The cost that is

going to the school district is going up. Maybe they could negotiate a contract that could free up money to hire additional officers.

George McShan agreed that was very doable.

Tom Hushen stated those officers could be used to teach DARE or other programs.

George McShan felt that was a good idea and he felt that police officers should be able to connect with students. The police officers should be out in the hallway getting to know these kids. They'll know who the troublemakers are. His mindset is that is an investment they need to make.

Tom Hushen stated when he was working in the DARE program—that was exactly what they did. They had lunch with the kids and played basketball with them. They spent the whole day with those kids. They had a totally different relationship with the kids. Now the officers are more of a security or police presence.

George McShan said that was 'exactly' the point—that's the perception of police officers. The culture has to change but it has to start with them. The school district would definitely want to look at this type of effort. The new Superintendent is open minded, proactive and willing to do things differently.

Robert Leftwich said he totally agreed with them. There is a larger issue in terms of the Council's willingness to go and push for more staffing.

Dean Hall stated they had the three charts and it might helpful to add a fourth chart in the 'what is the ratio in other cities'. That is very good data that would either support or not support some of these ideas.

Gabe Gonzalez advised that issue came up before with regards to population versus police officers. They would research that and add it in their revised report.

Robert Leftwich concurred it was a consensus from the task force for them to obtain that information.

George Merrill stated that the opinion he's heard from both sides of the Commission is that no one wants another level of bureaucracy. He agrees with that. But the focus is what are the other cities doing. We could look at comparing ourselves with the other school districts and cities. The data shows a steady increase over the last 5 years and then an extreme increase in recent years. He suggested going into a study to see where they stand.

Robert Leftwich asked for clarification if he was asking for the school district to provide similar data such as the size of security force they provide compared to other districts.

George Merrill said he was going on what George McShan had said earlier.

George McShan asked if what they wanted was to see how many school districts provided police forces?

Robert Leftwich said that size of the security they provide and budget.

Tom Hushen said no school district has strictly school district police. They have police and security personnel. That's because security personnel are able to conduct searches that police may not be able to do. They must work hand in hand. Judging with what they've done in Cameron County, he believes that every school district has a police force—with the exception of La Feria and Harlingen. Harlingen is one of few districts of their size that doesn't have a police force. The way they are combating that is they are one of the few districts that lease the officers from the city. If they can 'purchase' them thru the city then that might be avenue they should look at.

George McShan said that was one of the things that was difficult for them—that being that the officer is there but who does he report to, etc? Their core business was educating the students. They are not in the policing business. They should be investing more of their resources in educating kids.

George Merrill stated he had a good point.

Gabe Gonzalez asked the task force to check their calendars for a possible meeting next Tuesday.

Rene Garza stated that he didn't see anything in the report that showed they wanted a police force on campus. If they were heading in that direction perhaps they should develop some type of data to support that recommendation.

Robert Leftwich said the consensus was they needed to check to make sure they were not understaffed on the campuses or in the city.

George McShan said that was particularly true for the city. There should be some formula or ratio related to that.

Rene Garza advised that there was a national study that says that truancy and juvenile crime go hand in hand. When the juveniles should be in school they're at home sleeping. Then they wake up and commit crimes anytime from 3 p.m. –5:30 p.m. Then they go home and party all night. On a national level while people are supposed to be in school, crime goes down. And when people go out of school crime goes up. He would bring them that study. If they were trying to get any type of police force on campus they should develop the statistics to prove it.

Dr. Ritter said her best bet that Harlingen students probably take their HCISD police officers much more seriously then Brownsville takes their BISD officers.

George McShan advised that the crimes are not committed on campus but out in the city. They might have to reinvent their way of thinking.

Larry Galbreath stated that with collective bargaining the proponents were advocating for a large tax increase in the community.

Tom Hushen stated if the school district was to help them out by being willing to hire those police officers—then there might not be a tax increase. He asked Chief Castillo how many officers were contracted to work at the school district?

Chief Castillo advised they have three officers that are contracted and as they need more the school district reimburses the overtime costs.

Tom Hushen stated that just those three alone could increase his staff if added back to his force. If they had funding from the school district then they could increase their patrol officers.

George McShan advised they needed to build capacity—more patrolling, etc. People want to feel safe. Then they need to change the culture. That was what they were talking about.

Gabe Gonzalez asked the board if next Thursday the 5th would work?

George McShan advised he would be out of town and asked Jim Solis if he could be present?

Jim Solis advised he would check his calendar.

Gabe Gonzalez asked for their recommendations by Tuesday so he could get the packets out to them by Thursday. He asked them to prioritize their policy recommendations.

Chief Castillo asked for everyone to also include in their recommendations for the Commission programs that they are currently doing—such as existing programs and strategies. Some of these would be for short term recommendations with immediate action and some for long-term recommendations. He feels that the suggestions received from citizens—some are short-term goals that can be accomplished sooner.

Gabe Gonzalez stated if he (Chief Castillo) wanted to inform the council on the current programs—that perhaps that should come from his department—seeing as how they manage most of those programs.

Chief Castillo advised that the Faith Based group was already doing certain things and the Boys & Girls Club also. He asked them to please incorporate those programs into their suggestions.

George McShan advised that a video was being produced by the school district. They've got former gang members and members of the police department to star in the video.

Gerald Gathright asked about the Faith Based group that was not listed in the recommendations—where they to add those ideas in?

Gabe Gonzalez confirmed that was so and asked for them to identify anything that is already being done in a separate manner on the list. Those programs would not be listed as a recommendation since they are already existing programs.

George McShan stated that perhaps police officers could multi-task in the school system. Perhaps they could invest money in something that would enhance student achievement. He thanked Dean Hall for use of this facility.

Jim Solis commended Gabe Gonzalez for his assistance with the task force.

With no further business to discuss, the meeting was adjourned.