

MINUTES

Juvenile Crime, Graffiti and Gang Violence Task Force Meeting

Tuesday, September 2, 2008

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

514 S. "E" Street

Harlingen, TX

Members Present:

Adam Trevino, Chief Danny Castillo, Mari Galvan (representing Commissioner David Garza), Dean Hall, Dr. Susan Ritter, Ernesto Carballo, Gabriel Gonzalez, George McShan, Jim Solis and Ben Guerrero (representing Commissioner Lori Weaver)

Guests Present:

Judge Menton Murray and Rene Garza

The task force convened at 5:30 p.m. with a roll call of the members that were present.

George McShan welcomed those members who were not present at the previous meetings.

Dr. Susan Ritter and Adam Trevino introduced themselves to the task force members.

George McShan informed the new members that the City Manager's Office could provide them with background information such as the charge of the task force upon their request. The board approved the minutes of the August 11, 2008 meeting as presented.

Ben Guerrero introduced himself to the task force members.

Judge Menton Murray proceeded to provide an overview of the Juvenile Justice System. He advised that when a juvenile (10 years or older, but not yet 17 years of age) is arrested for low-end offences, the law enforcement agency might release them back to the parents. Or the juvenile may be turned over to the juvenile probation office who also releases them back to the parents. For more serious offenses, the juvenile could be detained for a longer period at the probation office. If they are detained, a judge must see them within 2 working days. The judge would make a probable cause finding and a determination of whether the juvenile should be detained further. Sometimes, a juvenile with misdemeanors may be placed on supervisory caution release. The District Attorney can also place a juvenile on deferred prosecution. They can allow the juvenile to be released on a form of 'probation' giving them contact with the department for supervision. Usually, there is an agreement that after a certain number of months, the case is dismissed if there are no more recurrences. Usually, first offenders are released unless they are a danger. Juveniles that are released on 'conditions of release'. This is not quite as extensive as probation, but it keeps track of the juvenile. They set a status hearing to follow-up on the case and gives some time for the police department to file their paperwork. Keep in mind, that there is no bond option available for juveniles. They can be detained for 10 working

days and then they have to have a new hearing date. They have a 15 working day limit on cases to be filed. Reasons for detention usually have to do with prior determinations. Another factor taken into consideration is if they are a 'danger to the community'. If something such as a robbery, shooting or high-speed chase occurs, then this comes into play. Those are kept on a 'short leash'. On a rare occasion they might get a jury trial set. If the juvenile is found guilty, then they are adjudicated. If they are detained, they are usually released if there is a plea agreement. In felony cases, the juvenile may be sent to the Texas Youth Commission that being the juvenile equivalent to the adult prison system. A disposition hearing is then set. He described the different levels where a juvenile might be sent to and/or placed in. Most first offenders get probation. The major factors that determine an outcome are any prior adjudications and the seriousness of the offense. There is also the right to appeal. A serious problem that he wanted to get input from the task force were juveniles that start with minor offense (such as low end drug charge or other Class A or B) and then refuse to follow any rules. These juveniles don't listen to their parents or they refuse to stop doing drugs, etc. Then they work their way up the ladder with larger offenses. He wanted input from the task force (being a cross section of the community) on how they should deal with these juveniles. Now, they no longer can send them to the Texas Youth Commission if they start off with a misdemeanor. Now, they can have violation after violation, etc. They have juveniles who if they had been adults, would have probably already served a sentence. Their main offense is not 'getting with the program' and they don't stop doing things that are not necessarily violations of the law, but violations of probation. Part of this has to do with graffiti and gang activity. With regards to graffiti, it is a felony offense to do that on any public building or school. The rest of them are typically misdemeanors unless they do more than \$1,500 worth of damages. They get a fair amount of those offenses. They are fairly successful in dealing with them as far as prosecution in the court. Some of them just continue with those types of offenses and he asked for input from the task force.

Rene Garza added that community involvement was one of their main concerns. They needed to get the community, police force and Boys Club involved. Before the judge would send them to 'teen centers' where they could go to play basketball or get tutoring. But, there just isn't a lot of funding now to send teens to those places.

Judge Murray affirmed that funding was a huge problem.

George McShan thanked Judge Murray for his presentation and perspective. He felt it was important that they know these things as they communicate with the public. He informed them that in cooperation with the County, that Harlingen School District would have two probation officers at both high schools (Harlingen High School South and Harlingen High). They would be full time officers. Some of the students were on probation. The school district has matched salaries for those probation officers. The school board approved this last week.

Judge Murray stated that also Brownsville and San Benito had that same set-up and it would be very helpful.

George McShan asked for Chief Castillo to update the task force on the questionnaire and National Night Out event.

Chief Castillo reviewed the 2nd page of the handout that he passed out to the task force. The questionnaire was given out at National Night Out. He mentioned that this year unfortunately, due to the heavy drizzle, the attendance was low. They had 101 respondents to the majority of questions. They had only 43 respondents with qualified answers to questions # 9 and 10. Due to the rain, some had not taken the time to complete those questions. As an example, if you go to question # 9, there's a 1, 2, 3, 4 order across—that's the rank order of priority (1 being the most important, 4 being the least). Question # 1, had about 40% that responded that was top priority. Second to that was stricter curfew and graffiti implement laws. Column 4 as far as the least, 40% said to hold the parents more accountable out of the 43 respondents. Question # 9 was more evenly spread out, with no gravitation to one question or the other. Question # 10, with the rank order of 1-6, you see a slight gravitation. On ranking of # 1, top responses were burglary break-ins and gang violence. On column 6, it showed cruising as being the least important was far as severity of types of offenses. Second to that were assaults or bullying and fighting. The top two or three were burglaries or gang violence. He pointed out that on # 5 and # 8, those were the open-ended questions and they wrote the exact answers as the respondents wrote them. The majority top five were: stricter enforcement, jail time, more police, and more education. On # 8, the majority seemed to gravitate to the west side of town. He would like to use the same approach in the neighborhood watch groups. They would be able to get a better understanding. Maybe once the committee looked at this again they might want to 'tweak' it again.

Someone asked what constitutes west side?

Chief Castillo responded it was typically areas west of the tracks along Commerce Street.

It was stated that # 1-5 and #10, they said that as far as 'have you been a victim of gang violence' was concerned, 93% said 'no'. However that was the # 1 ranked as far as severity, and that seemed like a dichotomy. Then on # 7, 21% said they had graffiti damage, yet that was the least as far a rank order on the bottom, that's a total reversal.

Dr. Susan Ritter suggested that they explain in more detail what is meant by gang violence. She felt that what one person might think was gang violence could differ from another. Also, perhaps they should make the age groups more consistent. She thought that 18 year olds should be in the next group because they have more independence. The system treats 18 year olds as adults.

Jim Solis asked if a separate study could be done in the school system using the same data?

Gabriel Gonzalez confirmed the ranges could be 17 and under and 18 – 39.

The committee discussed the ranges.

Judge Menton Murray asked where they should go to get the older group to fill out the questionnaire?

Market Days was suggested since it draws an older crowd.

George McShan agreed that was a good idea.

Chief Castillo advised that he made an outreach to the Christian community. They made a letter to the Churches and hand delivered about 50 letters. The responses were positive and they are very excited about providing input. This came to light on National Night Light. They identified a good number of the leadership of the gangs and made a lot of arrests with zero tolerance. The gang detail made home visits and followed-up with the parents. At least 2 to 3 of the juveniles that they arrested were gang members. When they got them in a confined room and talked to them, these juveniles broke down. Their comments were that they 'were tired of the gang life' but 'how would they get out?'. They realized the dangers of being 'clicked out' of the gang. They lived in the same fear of what they helped to create in the gangs. They collaborated with the area churches that had a lot of ex-gang members in their congregations to offer assistance to these juveniles. The juveniles have met with these ex-gang members. When they do go to these meetings they've been treated with respect and they've had a meal with these representatives. This led them to the idea about the churches. He feels that they can talk about strategies that other communities have developed but he feels that they've failed to reach out to the Christian community. They have abilities and can fill the gap that they've encountered. They've been able to help with the initial first steps for these gang members. At the risk of being religious, he has challenged them with 20 days of prayer. After those 20 days of prayers, he'd like a listing of their representatives and get input from the Christian community on how they can help. Certain business owners have 'stepped up' and provided funding for them to do what he's just talked about it. He sent out an email with a copy of that letter to the Mayor, Council and City Manager.

It was stated that they already had a 'good Christian foundation man' on this committee, that being Gerald Gathright. This individual and Gerald Gathright belong to the Christian Fellowship Church and they have a men's group that meet every Friday morning at 6:30 a.m. They've helped the community by giving away 850 backpacks to kids from the west side. He suggested that they have an ex-gang member on this committee to help them out.

Gerald Gathright stated that they've talked about having ad-hoc advisory committees for the task force. They want to identify someone to lead this group. He felt that they needed to take action and call those members of the community to work with the task force. They wanted to concentrate on getting people from the west side involved. Both Gerald Gathright and Chief Castillo would be serving on this committee. He asked if anyone else from the task force wanted to be part of this committee?

Adam Trevino indicated he wanted to join that committee.

George McShan made note of that request. Now they needed to get names to the City Manager's Office of the additional members. Another member would be John Flowers. They could have 15 or 20 people in this group. They needed to start identifying these people and get the names to the City Manager's Office by next Tuesday.

Jim Solis commented that maybe some of the business owners or families that live in the "F" Street area could be involved. He named Mr. Garcia from the Tire Shop and Mr. Salinas with

the Pharmacy. He also suggested Sergio Andrade. Also, ex-gang members could participate anonymously.

George McShan advised that Javier Gutierrez from the Alternative Center would be a good fit for the committee.

Chief Castillo asked for clarification with regards to the “faith based” ad-hoc committee if that would include representatives from the area churches and ministries?

George McShan confirmed that was correct.

Chief Castillo asked if there would be another ad-hoc committee with people that were in that particular area?

Gabriel Gonzalez stated that they had 3 committees that were established. Two of those were the Assessment and Data Advisory Committee and the Public Relations Advisory Committee. Ernesto Carballo and Gerald Gathright were liaisons to the Assessment and Data Advisory Committee. Tom Hushen was the liaison to the Public Relations Advisory Committee.

George McShan commented that the faith-based committee that Chief Castillo was referring to was a fourth committee. He commented that the west side boundary typically is west of the railroad tracks. But they also had a small loop across from Commerce by Zavala School in the Fair Park area that they needed to look at. Also, the Queen of Peace Church area across from Commerce needed attention.

Tom Hushen asked if the “A” Street and Zavala area was still a gang problem? If they had an event such as National Night Out in that area, then they could get feedback from those areas.

The committee agreed that was a good idea.

Tom Hushen stated that the committee that Jim Solis was heading charged with the “F” Street corridor could also do the “A” Street corridor and get broader coverage.

George McShan stated they also had a portion on Rangerville Road that needed to be covered next to Ben Milam and Bonita Park. This would be the southeast side. He felt that most of the graffiti occurred in areas that they discussed. The faith-based community would cover the entire city. Chief Castillo, Gerald Gathright and Adam Trevino would probably serve on that committee. They needed to identify individuals living in those areas that wanted to serve on the committee. They should start working on this right away. The committee should get names to Gabriel Gonzales so they could proceed. From there, they would move to the getting the questionnaires to the churches and have a Town Hall meeting in the different areas of town. He hoped the media would show up at the Town Hall meetings. He anticipated that the individuals on the ad-hoc committee would help get individuals at the Town Hall meetings. As a complement to the committee, they also had the business community. They should be encouraged to attend the Town Hall meetings.

Tom Hushen stated it similar to what the Governor's Task Force did with regards to the Hurricane. There was a panel of people that was sent out to the various locations and obtained feedback from the attendees. The panel accumulated the suggestions and took that back to the Governor and then they came up with the rules.

George McShan stated that Chief Castillo didn't have to wait until their next Task Force meeting to proceed. He could already start to assemble a core group of people to strategize. They hoped to be able to show by early October what they were accomplishing. He mentioned that the whole committee was invited to attend the Town Hall meetings, but if someone couldn't attend that was all right. He would try to get the media at the Town Hall meetings in order to inform the public.

Tom Hushen asked if they should agree on a number to Town Hall meetings and then later obtain the locations?

George McShan stated that they already had at least 3 or 4 in mind?

Tom Hushen commented that he could come up with at least 3 or 5 locations of where they should have Town Hall meetings: "F" Street corridor, Fair Park area, area behind DPS (Matz) and the Zavala School area. He asked about the area by the Junior High on 13th Street?

George McShan added Ben Milam School.

The committee agreed that Zavala and Lamar or Jefferson School would be appropriate sites.

Tom Hushen suggest they cut a map into six sections and have a meeting in each section.

Jim Solis suggested they have a meeting in Treasure Hills.

The committee agreed that would be appropriate.

George McShan recapped the areas as:

Zavala School—east side
Ben Milam—south side
Lamar or Jefferson Schools
Treasure Hills School
Vernon Middle School

Jim Solis asked about the Taft Street area.

George McShan suggested the 6th meeting could be to bring all the sides together to bring closure. He suggested the Community Center as a possible meeting place. They had to now find individuals (at least 12 or so) from these areas to fill the ad-hoc committee. He suggested they start in the first week of October with the meetings.

Gabriel Gonzalez stated he'd like to start this month with meetings.

George McShan agreed they should start this month.

Gabriel Gonzalez advised that he needed to contact the principals from those schools.

George McShan suggested they obtain a calendar of the PTA meetings. Then they could go to those schools to pass out the questionnaire. They also wanted to be a small part of the PTA meetings and explain what the task force was doing.

Ernesto Carballo volunteered to do that task.

George McShan said they would get the biggest turn out at the PTA's. George McShan advised Gabe that he would get him the meetings list this week.

Chief Castillo asked for them to schedule the Town Hall meeting with the faith-based group for the first week in October as that would fall in line with what he had already given the churches. He asked if that was all right with the task force?

George McShan stated that they wanted to go the areas and get individuals on the ad-hoc committees.

Gabriel Gonzalez suggested that if any of the task force members had names of individuals to be involved with the committee for them to please send their contact information to his office. This would ensure those individuals receive notification of the meetings.

George McShan thanked Gabe's office for their efficiency in assisting the task force. He asked if there were any other issues to be discussed? The task force agreed that their next meeting date should be the 1st week in October. He reminded the members that in the mean time, once they got started with the ad-hoc groups then they could start meeting with their groups even before this task force met again. He thanked everyone for their attendance and encouraged everyone to call the City Manager's Office if they needed assistance or had any questions.

With no further business to discuss the meeting ended at 6:45 p.m.