Supporting Law Enforcement:

Gangs

The Problem:

From Spokane to Seattle to Yakima and beyond, gang violence plagues Washington state. Young lives are cut short and, increasingly, innocent victims are caught in the crossfire. The epidemic of violence demands a strong reaction.

Solutions:

Civil Provisions

- Authorize creation of a statewide competitive grant process to fund youth gang violence prevention and intervention projects in local communities.
- Permit county and municipal governments to file nuisance abatement actions against properties on which three unrelated criminal street gang-related offenses have occurred in the prior year. The government may then seek the forfeiture of all property proven to be related to street gang crimes.
- Create neighborhood anti-street gang protection orders. Permits county and municipal governments to seek a court order prohibiting persons proven to be street gang members from engaging in gang-related behaviors in the area in which the gang operates. Violations of the conditions imposed by the order are punishable as a gross misdemeanor offense.
- Make the reporting of all gunshot and stab wounds by hospitals mandatory. Modify current law, which only requires reporting if the victim is unconscious.

Criminal Provisions – Juveniles

- No More Deferrals for Gun Offenses: Exclude criminal street gang-related firearm offenses from being eligible for deferred dispositions – cases in which judges avoid finding an offender guilty of a crime.
- Automatically charge juveniles as adults in cases in which a 16 or 17 year-old defendant is involved a violent, gang-related crime.

Criminal Provisions - Adults

- Streamline the sentencing enhancement for gang-related felonies so that it tracks with the existing firearm enhancement. When sought by a prosecutor and granted by the court, the enhancement would impose an additional 5 years for a class A, 3 years for a class B, and 18 months for a class C gang-related felony conviction. .
- Add an additional sentencing enhancement for gang-related felonies, permitting the court to double the available penalty where the crime occurs on or near schools or school-related properties (e.g., buses, school bus stops).
- Because criminal street gang members are at a high risk of recidivism, impose a minimum of one year of community supervision for all criminal street gang-related felonies.
- Expand the scope of criminal gang intimidation laws. According to current law, it's a crime to threaten another with bodily injury for refusing to join or withdraw from gang, but only if the perpetrator or victim is a public school student. Our proposal would create a new crime of criminal gang intimidation not limited by public school status.
- Increase the penalty for tagging/graffiti from a gross misdemeanor to a class C felony; Require, as part of any sentence, that offenders complete 100 hours of community service work in a graffiti abatement program, when available.