

Public should have reasonable expectation of safety

OAKLAND'S GANG injunction policy presents a paradox that requires an appreciation for nuance.

Absolute positions risk reducing the choice between civil liberties and public safety. Unfortunately, it's never that simple.

I have gone on record as offering "reluctant support" for Oakland's gang injunction policy.

It's reluctant for three reasons: I wish it were not necessary, it is not a panacea, and it only addresses a symptom of a much larger

problem.

But those in opposition to gang injunctions have embraced a unique tactic of transforming the victimizer into the victim. Despite their concerns about the implementation of the policy, they have absolutely no response for individuals living in fear as a result of the violent activities in their community.

Cries of standing at the vanguard, protecting black and brown youth from being unnecessarily targeted by "The Man" are merely the



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useless uttering of a group who did not receive the memo that the '60s are over.

Every person who qualifies for the gang injunction list is an adult.

We're not talking about some adolescent version of the Little Rascals intoxicated on wayward indiscretion. The targeted group is a criminal enterprise of adults, creating fear in low-income neighborhoods.

I understand the argument that dangerous, violent

criminals are often illiterate, stigmatized by society, void of the requisite social capital, making it difficult to turn one's life around — assuming that is a goal.

Beyond the sociological observations, they remain dangerous and violent criminals, demonstrating little regard for the consequences of their activities. How many innocent people must be killed by stolen cars driven by those fleeing from police or stray bullets that miss intended targets before we have the type of outrage exhibited by gang injunction opponents?

Roughly 100 people recently gathered outside City Hall in protest of the proposed Norteno gang injunction. The proposed injunction, raised by City Attorney John Russo specifically targets 40 suspected gang members in the Fruitvale district.

Those who harmonize in monotone "Gang injunctions don't work," are noticeably stone deaf when the question is proposed, "What would you advocate instead?"

Job training is a favorite response, which assumes

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Oakland doesn't already have training resources available. They also cite the lack of job opportunities along with failure of those in question to be job ready that cause their violent behavior.

Are these nefarious activities and the corresponding behavior directly linked to the current economic decline?

Recently, there was a rather ironic letter to the editor that stated:

"Because 13 of those listed on the potential Fruitvale injunction have been arrested for various charges already does not mean that the same thing would not also happen even if the injunction was finalized."

Beyond the writer's failure to offer a single word of compassion for those law-abiding citizens who are caught in the crossfire of mayhem, the primary concern was for those through their own actions warrant inclusion on the gang injunction list.

Consider this sampling of Norteno defendants arrested or convicted of new crimes since the city attorney filed a gang injunction on Oct. 13.

■ Nov. 14 — Disobeyed a court order.

■ Nov. 23 — Parole violation, accused was sent back to prison.

■ Dec. 3 — Charged with armed robbery and assault with a deadly weapon, and

possession for sale; parole violation in relation to car theft; failure to appear.

■ Jan. 14 — Assault on peace officer and vandalism.

■ Jan. 20 — Attempted murder and weapons charges.

Though we may not know conclusively "that the same thing would not also happen even if the injunction was finalized," the data certainly reflect an ominous pattern.

Gang injunctions do not unduly target black and brown youth, but rather systematic criminal activity by adults.

The "this or that" approach oversimplifies the gang injunction dilemma. If the world were black and white, I might philosophically be opposed to the gang injunction policy.

But the world is not black and white; it's also pregnant with nuance. It is a nuance that must somehow find a way to balance civil liberties with the reasonable expectation of safety.

Instead of random protest each time the city attorney goes into court for another injunction, would opponents' time not be better spent serving as a community watchdog to ensure that nothing goes awry?

But that is a role that must not only concern itself with the criminal enterprise, but also the innocent members of the community with equal vigor.

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