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## **McDonnell: “Make Virginia a Gang-Free Zone”**

### **Former Attorney General Unveils Comprehensive Plan to Combat Gangs in Virginia**

*McDonnell: “As Governor, combating criminal street gangs will be one of my top public safety priorities.”*

Proposals Include: Appointing State Anti-Gang Coordinator at Deputy Secretary Level; Implementation of Richmond’s Successful GRIP Program in Other Communities; Expanded Prevention Programs; Broadened “Gang-Free” Zone; Making Gang Recruitment a Class 6 Felony

**Leesburg-** Bob McDonnell, Republican gubernatorial candidate and former Attorney General of Virginia, traveled to Loudoun County today to unveil his anti-gang policy, “Making Virginia a Gang-Free Zone.” McDonnell was joined at the policy announcement by Congressman Frank Wolf, along with local public safety and elected officials.

McDonnell’s “Making Virginia a Gang-Free Zone” plan is highlighted by the following proposals:

- Appoint a new State “Anti-Gang Coordinator,” at the deputy secretary level using existing resources
- Aid individual localities in replicating a version of Richmond’s successful and nationally recognized Gang Reduction and Intervention Program (GRIP)
- Expand prevention programs like “Class Action” and “Badges for Baseball”
- Assess certain state agencies to determine if we are best utilizing their assets in fighting gangs
- Expand the role of the State Police in Anti-Gang Task Forces, gang investigations, and the development of gang intelligence

- Reallocate existing resources within the Department of Corrections to improve our ability to identify, track, control and debrief gang members who are within prison walls
- Support Community Corrections efforts and require effective implementation of prisoner reentry plans
- Expand “gang-free school zones” into “gang-free zones”
- Toughen penalties for gang recruitment at all levels
- Broaden gang recruitment statute to specifically include new electronic mediums
- Amend the gang participation statute to include “any felony” committed on behalf of a gang, as well as certain misdemeanors

Speaking about Virginia’s gang problem, McDonnell noted, “The level of gang violence continues to grow in some regions of Virginia, and we are seeing gang activity in areas where we have never seen it before. As Governor, combating criminal street gangs will be one of my top public safety priorities. I will do what it takes to work with our local authorities and our communities to make Virginia a ‘gang free zone’.”

McDonnell continued, “Four years ago Loudoun’s State Senator, and now Virginia’s Attorney General, Bill Mims, joined with Delegate Dave Albo (R-Springfield) to patron legislation establishing “Gang-Free School Zones”. Now we are going to build on this effort by broadening Virginia’s “Gang-Free Zones” to go beyond schools to include community centers, libraries, state hospitals and other public areas so that any gang offenses committed in these areas come with harsher penalties. I will also increase the penalty for gang recruitment from a misdemeanor to a Class 6 felony. We must aggressively and proactively combat gangs in the Commonwealth. I will make this effort a priority in my administration by appointing a state anti-gang coordinator at the Deputy Secretary level within the Office of the Secretary of Public Safety.”

McDonnell also remarked, “I will be a Governor who is equally committed to keeping Virginia’s children out of gangs in the first place. As Attorney General I saw the incredible success of our GRIP effort in Richmond. By providing positive alternatives to our young people we can keep them away from gangs and on the path to bright futures. I will work to expand GRIP to other Virginia communities, as well as the “Class Action” program to all Virginia schools. And I will be a strong supporter of private initiatives, such as the “Badges for Baseball” program in which the Office of the Attorney General, law enforcement, and Boys & Girls Clubs mentors partner with the Cal Ripken, Sr. Foundation. The “Badges for Baseball” program, which has been implemented in various locations across Virginia, gives our children the healthy opportunities they need to stay gang-free. Every child in every community deserves an opportunity to succeed.”

Commenting on Bob McDonnell’s record and vision on the issue, Congressman Frank Wolf noted, “Bob McDonnell has a record of leadership in the fight against gangs. He understands that gangs threaten Virginia’s future. His plan to make Virginia a “Gang-Free Zone” is exactly what we need to continue this fight in the years ahead, and to make sure our children get the opportunity to grow up crime free, with bright futures.”

# **Bob McDonnell: “Making Virginia a Gang Free Zone”**

## **McDonnell’s Plan to Reduce Gangs in Virginia**

Although we have made strides fighting gangs, we can do more to combat them and the myriad problems they bring to communities across the Commonwealth. As Governor, Bob McDonnell will build on this foundation, and develop innovative ways to step up the fight.

The legislature has made much progress over the past five years. Law enforcement agencies and prosecutors throughout Virginia are using the tools provided through new laws and programs. Many other states have followed Virginia’s lead. Based upon his experience and analysis of the current law, Bob McDonnell will propose additional amendments to Virginia law to further improve our ability to address gang crimes.

As Attorney General, McDonnell witnessed tremendous law enforcement efforts at the local level to address gang activity in their respective areas, and Regional Gang Task Forces have made significant progress in the fight against gangs. The Northern Virginia Regional Gang Task Force provides a successful model for a comprehensive approach. However, gangs do not respect local or regional boundaries. Local and state law enforcement will continue to seek federal funding and assistance, and leaders like Congressman Frank Wolf will continue to support these important efforts. However, gangs are a state crime issue and must be addressed at the state level.

As Governor, Bob McDonnell will strengthen state agencies’ response to gang issues in a well planned, structured, and meaningful way, working with all stakeholders to develop a comprehensive statewide plan. Further, a McDonnell Administration will address the multistate nature of gangs operating in Virginia and establish a unified effort by working closely with other Governors in contiguous states and the Mayor in the District of Columbia.

Bob McDonnell believes that the Governor must make certain that every effort is being made at the state level to assist our localities in fighting gangs. He has consistently maintained that we cannot compromise public safety by inadequately funding our responsible agencies – this is true at the local and state levels. Therefore, McDonnell will ensure smart, frugal government, without compromising funding for public safety. Gangs threaten our neighborhoods and our children – they must be stopped. We must work to make Virginia a gang free zone.

Bob McDonnell is proposing a comprehensive statewide plan to address gang prevention and combat criminal street gangs. The plan includes the following:

### **More State Resources Devoted to Addressing Gangs in Our Communities**

To be successful in countering criminal gang activity, a multi-pronged approach with local, state and federal agencies is needed. As Governor, Bob McDonnell will make fighting gangs a state priority and all relevant state agencies will aid in a full scale effort. With a statewide plan and

dedicated resources, we can make Virginia a gang free zone and continue to represent Virginia as a model for gang abatement for the country.

### **State Anti-Gang Coordinator**

As Governor, Bob McDonnell will appoint a new “State Anti-Gang Coordinator,” at the deputy secretary level, under the direction of the Secretary of Public Safety. The position would convert a current public safety position and would have no fiscal impact. By reorganizing duties in the Office of the Secretary of Public Safety, Bob would dedicate a full time position to coordinate Virginia’s efforts to combat gangs.

The position would be held by a trained gang expert with significant Virginia experience. The Deputy Secretary would be a resource for prosecutors and law enforcement officers in the investigation and prosecution of gang members, working closely with the Commonwealth’s Attorneys Services Council and the Department of State Police.

The Deputy Secretary would coordinate activities among local, state and federal authorities. Working with the Virginia Fusion Center, this gang expert would complete efforts to develop a workable gang intelligence database that would be a resource for state and local law enforcement regarding criminal street gang activity.

This individual would also research grants and other funding to fight gangs on a state and local level, and would provide such information to eligible agencies and departments. This person also would establish a template for all localities to use to hold their own “community day,” similar to the ones held while Bob McDonnell was Attorney General.

This Deputy Secretary would facilitate distribution of information and coordinate training relating to “best practices” programs (such as tattoo removal).

Additionally, the Deputy would develop gang training programs for local officials, as well as age appropriate anti-gang resources for school age children. These resources would maximize the use of technology such as on-line training and information, and the use of videos such as the Office of the Attorney General’s film “The Wrong Family, Virginia Fights Back Against Gangs.” Finally, the Deputy Secretary would be responsible for coordinating and chairing the Governor’s Anti-Gang Work Group, a group formed by Governor Warner and retained by Governor Kaine, which would be continued in a McDonnell Administration.

### **Expanded Prevention Programs**

In order to reduce the opportunity for children to become involved with gang activity, we need to expand several proven programs already achieving good results in parts of the state. We need to expand and improve the Class Action program, currently administered by the Office of the Attorney General. Age appropriate versions of this law-related education program are facilitated by law enforcement professionals and taught in Virginia schools. The instructor uses hypothetical scenarios to engage the students in discussions addressing a variety of issues including the stark legal consequences of actions such as use of illegal drugs, criminal street

gang activity, and other criminal acts. This program should be expanded to every school in Virginia to instill the anti-gang message in all young people, and to inspire them to a life as a productive, law-abiding citizen.

We will systematically bring in many more credible role models, like entertainers, athletes, business leaders and government officials, to talk with young people about the benefits of living a gang-free and drug-free life. We will expand partnerships with character building organizations, such as faith based organizations, Cal Ripken's "Badges for Baseball," the Boys and Girls Club, Big Brothers Big Sisters, the Boys and Girls Scouts, and other key groups that provide positive alternatives to gang involvement.

### **Gang Reduction and Intervention Program (GRIP) Coordinator**

A second critical position that Bob McDonnell will create as Governor is a Gang Reduction and Intervention Program (GRIP) Coordinator. This position will be housed in the Office of the Attorney General and will work closely with the Anti-Gang Coordinator in the Office of the Secretary of Public Safety. While the Deputy Secretary position will focus on coordination of state agencies, resources, and anti-gang initiatives across the Commonwealth, the GRIP Coordinator will focus on aiding individual localities in replicating Richmond's successful and nationally recognized GRIP program or a version of the Gang Reduction and Prevention Model. The Gang Reduction and Intervention Program (GRIP) is a collaborative effort between the City of Richmond, federal, state and local partners, aimed at combating gangs and providing children with healthy alternatives to gang involvement. The program involves prevention, intervention, suppression and reentry into the community after incarceration.

The Coordinator would assist localities with the evaluation of their resources and their actual gang problem.

The coordinator would train the local teams on how to implement their own GRIP initiative in their community.

This individual would provide guidance, advice, expertise, and support to law enforcement and to service providers to assist them with their overall gang prevention strategy.

The GRIP initiative is effective in all types of communities. Public-private partnerships have been shown to increase the investment of community organizations, faith-based groups and other community members in large-scale improvements to the community, creating social benefits that far outweigh the costs of the program. Our commitment to public safety is strengthened by administering prevention and intervention programs prior to the use of necessary suppression efforts. The GRIP Coordinator position is an example of smart government involving a low cost investment that yields tremendous benefits to the overall anti-gang strategy.

### **Building upon Existing State Resources**

As Governor, Bob McDonnell will build upon some existing state resources that are critical to a successful state plan to address gangs.

As Governor, with the assistance of certain Cabinet and executive staff members, Bob McDonnell will assess state agencies to determine if we are best utilizing their assets in fighting gangs. Specifically, the Department of State Police and the Department of Corrections play major roles in the eradication of criminal street gangs.

Bob McDonnell will direct the Secretary of Public Safety to conduct a comprehensive review, within the first ninety days of his Administration, to determine what resources are currently devoted to gangs and if there are better ways to allocate existing resources to address the gang problem. After this determination is made, Virginia will be in a better position to focus resources, shift and retrain key personnel, add new personnel where necessary, and better operate on a state level to provide critical support to localities.

The Department of State Police is in a position to offer intelligence and resources to localities. Bob McDonnell will expand the role of the State Police in Anti-Gang Task Forces, gang investigations, and the development of gang intelligence necessary to dismantle gangs and solve gang crimes. Further, State Police can better assist with requests from local departments once adequate staffing and resources are dedicated to the anti-gang effort. Finally, the overall strategy will take into account resources such as the Virginia Fusion Center, which provides gang intelligence and related information to law enforcement.

The Department of Corrections is also important to a statewide effort to combat gangs. According to the Virginia State Crime Commission, as of November 19, 2008, there were 6,400 offenders identified as gang members. Unfortunately, the incarceration of a gang member does not always stop that gang member from exerting influence on their gang and affecting the safety of the community. In fact, once incarcerated, gang members are often bestowed with a heightened degree of respect. Further, many inmates are recruited into a gang while in prison or jail.

We must aggressively address gangs in our prisons and jails. By reallocating existing resources within the Department of Corrections, we will improve our ability to identify, track, control and debrief gang members who are within prison walls. The information obtained from incarcerated gang members about their respective gang is crucial to a full understanding of the mentality, actions and criminal activity of the gangs. Finally, with adequate resources to identify gang members in our prisons, obtain critical information from them, and work with them while they are in our state system, we can best identify potential for intervention.

Finally, in order to combat recidivism and return to gang life, we must improve Community Corrections efforts. Probation and Parole are critical components of our criminal justice system. Bob McDonnell will discuss this important area in depth at a future time in the context of prison and reentry reform; however, as it relates to gangs, post-incarceration monitoring is an important part of the anti-gang initiative. Gang members who serve time in prison or jail often return to their same neighborhoods upon release. They do so with more "status" for having served time incarcerated "on behalf of" or "for the benefit of" their gang. Thus, probation and parole, and the period of supervision upon release, are critical. We must have sufficient dedicated probation and parole officers with adequate training and resources to get results. These officers perform an

important function in our statewide anti-gang initiative. We must also require more effective implementation of prisoner reentry plans as required by the law championed by Attorney General McDonnell in 2008. The early months of release for gang members are critical to their positive readjustment into society.

These reforms are the building blocks for a coordinated statewide effort to combat gangs. This plan will mark a new organized approach to assist localities, combat gangs, and take back communities. Criminal street gangs cannot be permitted to take over neighborhoods and recruit our children.

### **Strengthening Virginia's Tough Anti-Gang Laws**

As Governor, continuing his record in the General Assembly and as Attorney General, Bob McDonnell will take a leading role in proposing additional legislation to aid our law enforcement and prosecutors fight criminal street gangs.

#### **“Gang-Free Zones”**

Four years ago, then Senator (now Attorney General) Bill Mims from Loudoun County, working with Delegate Dave Albo of Fairfax, recognized the need to create safe havens for our children from gangs. Their initial focus was on schools. Bob McDonnell will propose the expansion of “gang-free school zones,” into “gang-free zones,” similar to the “drug-free zones,” currently in our state laws.

The broadening of the “gang-free” statute will allow for targeted mandatory minimum sentences or enhanced punishments for criminal gang activity at school bus stops, community centers, parks, libraries and state hospitals.

By creating these expanded “gang-free zones,” we demonstrate that we will not tolerate gang crimes, particularly in areas where children and young people congregate.

#### **Combating Gang Recruitment**

Bob McDonnell will ask our General Assembly to take a tougher approach on gang recruitment at all levels. The heart of the gang problem is recruitment. A gang cannot exist if its members dwindle and there are no active recruitment efforts. Currently, any person who solicits, invites, recruits, or encourages another to actively participate or become a member of a criminal street gang is guilty of a Class 1 misdemeanor.

To adequately punish those engaged in recruiting members into gangs, McDonnell will propose that this offense be increased to a Class 6 felony.

Additionally, while the current statute holds that an adult who solicits, invites, recruits or encourages a juvenile to actively participate or become a member of a gang is guilty of a Class 6 felony, McDonnell will propose that the General Assembly elevate this offense to a Class 5 felony.

By making these amendments, we will identify gang recruitment as the serious crime that it is, at a time when gangs are becoming more organized and violent.

Further, Bob McDonnell will address the issue of gang recruitment in our modern age of technology. Normally, parents would not believe that gang recruitment could affect their children while at home. However, with the increased use of the Internet and cell phones, the proliferation of social networking websites, and with such tools as email, instant messaging, chat rooms, and text messaging, gangs have a new arena in which to recruit and intimidate potential young gang members.

To help combat this modern method of gang recruitment, Bob McDonnell will propose expanding our current gang recruitment statute to specifically include these new electronic mediums. By including telephones, cell phones, text messaging devices, pda's, computers and other wireless communication devices in the gang recruitment statute, we can address an emerging method of gang recruitment.

Bob McDonnell will recommend that technology driven recruitment through these methods will be punishable as a Class 5 Felony.

### **Gang Participation**

Bob McDonnell will support a recommendation of the staff of the Virginia State Crime Commission relating to the offense of gang participation. Currently, Virginia's gang participation statute allows prosecutors to charge a separate offense for crimes committed on behalf, or at the direction of, a gang. The statute lists a limited number of crimes, most of which are violent felonies or drug offenses, for which an individual may be charged with gang participation. However, this limited approach is artificially restrictive. In fact, law enforcement report that crimes committed on behalf of gangs vary greatly and could involve almost anything. Any serious crime committed to benefit a gang should be punished appropriately.

Bob McDonnell will propose expanding the gang participation statute to include "any felony" committed on behalf of a gang, as well as certain misdemeanors.

Instead of restricting gang participation to violent felonies, we should allow prosecutors to attack gang crime head on and take a zero tolerance approach.

Gangs are committing many crimes in support of their activities and they do not restrict their behavior to offenses "spelled out" in our gang participation statute. By allowing prosecutors to pursue gang participation convictions when any felony is committed on behalf of the gang, we hold gang members accountable – not only for the underlying felony offense – but for the separate gang crime and we send a strong message that Virginia will not tolerate gang participation.

# Bob McDonnell's Record on Gang Prevention and Combating Gangs

As a prosecutor, legislator and Attorney General, Bob McDonnell proactively fought gangs on the street and in the courtroom, and helped establish gang prevention programs throughout the Commonwealth. The Gang Reduction and Intervention Program (GRIP) began as a federal grant, but is now sustained through community commitment in the City of Richmond. As Attorney General, McDonnell advanced this successful anti-gang initiative aimed at combating gangs and providing children with healthy alternatives to gang involvement. It involves prevention, intervention, suppression and reentry into the community after incarceration. Richmond's GRIP has been so successful it was named a "Best Practices" program by the Office of Juvenile Justice and Delinquency Prevention in the U.S. Department of Justice. Based on 2007 data, Richmond now ranks as the nation's 49th most-dangerous city, an improvement from its 29th ranking in 2006, and its 5<sup>th</sup> place ranking in 2005, according to Washington-based CQ Press. The GRIP model will soon be launched in Petersburg and portions have been implemented in Staunton and Virginia Beach.

Bob also aided the Richmond Commonwealth's Attorney in establishing a Gang Prosecution Strike Force in Richmond that worked with local, state and federal partners to systematically target and prosecute gang leaders and the most violent gang members. A similar program was launched in the Shenandoah Valley with one full time Assistant Attorney General who assists the Commonwealth's Attorneys and law enforcement.

As Attorney General, Bob McDonnell produced a hard hitting anti-gang video, called "The Wrong Family, Virginia Fights Back Against Gangs," to be used by public safety officials throughout Virginia. He supported gang prevention through the Cal Ripken, Sr. Foundation's "Badges for Baseball" program and incorporated such prevention efforts into the Attorney General's Class Action program. The "Badges for Baseball" program uses baseball along with a series of lessons to teach young people about making healthy choices in life, such as resisting pressure to join gangs. The Class Action program is an innovative law-related educational program. Further, McDonnell hosted "community day" events in Harrisonburg and Staunton to facilitate graffiti clean-up, community beautification, gang awareness and distribution of crime prevention information to local residents.

Bob obtained a federal grant for a Gang Awareness Coordinator who works with local, state and federal partners to provide various types of gang training and assessments throughout the Commonwealth. In conjunction with gang experts, the Office of the Attorney General sought to ensure that members of the criminal justice and education systems have a working knowledge of gangs in order to adequately recognize, address, and deal with the specific problems associated with them. The Office of the Attorney General provided training for law enforcement, prosecutors, judges, local officials, school personnel, parents, youth mentors, and citizens throughout the Commonwealth.

As part of Attorney General McDonnell's "Safer and Stronger Virginia" agenda for combating gangs, the General Assembly enacted legislation to make clear that judges have the ability to

impose restrictions on gang members that are on probation prohibiting association with other gang members. Further, the General Assembly passed a law to authorize the Attorney General to prosecute gang offenses committed within our prisons.

As a Legislator, McDonnell patroned Virginia's "RICO" Act, providing law enforcement and prosecutors with one more tool to combat criminal street gangs and organized crime. In 2004, Bob also sponsored legislation to expand the list of predicate criminal acts to include recruitment of a juvenile into a street gang.

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*Authorized by Bob McDonnell. Paid for by McDonnell for Governor*