

**GANG CRIME AWARENESS AND ENFORCEMENT JOINT
RESOLUTION**

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark B. Madsen

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This joint resolution of the Legislature urges state and local governments, law enforcement agencies, and Immigration and Customs Enforcement to take urgent and targeted actions against the various types of gangs in Utah to sharply reduce the level of gang activity and the appeal of gangs to young people.

Highlighted Provisions:

This resolution:

- ▶ urges zero tolerance of gang activity or of any activity that facilitates the establishment, growth, and functioning of gangs of any type in Utah;
- ▶ urges law enforcement agencies and the courts at all levels to aggressively target all activities that gangs engage in, beginning with graffiti and petty crimes, in order to disrupt gang activity and to discourage youth from becoming involved with gangs;
- ▶ urges state and local law enforcement agencies to partner with and take advantage of the special measures that federal immigration law provides to encourage cooperation of witnesses and informants, and to protect victims of crime in order to disrupt criminal gang activity, remove illegal immigrant gang members from the streets, and better protect the public; and
- ▶ urges employers to use an identity verification system to eliminate the market for gang-produced, fraudulent documents which facilitate cover for gang members who



28 are involved in the drug trade and other violent criminal activities.

29 **Special Clauses:**

30 None



31 *Be it resolved by the Legislature of the state of Utah:*

32 WHEREAS, the Salt Lake Metro Gang Project reports that law enforcement has
33 identified 241 unique gangs in the Salt Lake area and reports that there are 30 unique gangs in
34 Washington County, 22 unique gangs in Tooele County, and 15 unique gangs in Utah County;

35 WHEREAS, the Salt Lake Metro Gang Task Force reports that law enforcement
36 agencies identified approximately 3,300 gang members in Utah in 2009;

37 WHEREAS, over 18,000 total gang-related crimes were committed in the Salt Lake
38 area in 2009, representing a 65% increase in gang crimes from 2008;

39 WHEREAS, non-graffiti gang crimes increased 69% from 2008 to 2009;

40 WHEREAS, Salt Lake area law enforcement alone spent over 10,000 hours
41 investigating gang crimes in 2009;

42 WHEREAS, Salt Lake area law enforcement has made 2,904 gang arrests in the past
43 eight years, with 406 arrests occurring in 2009;

44 WHEREAS, the Salt Lake County Sheriff's Office reports that gang culture found in
45 Salt Lake and Utah counties is one of the most diverse in the western United States, with major
46 California and Chicago affiliations along with Southeast Asian groups, Polynesian gangs, racist
47 and non-racist skinheads, motorcycle gangs, extremist animal and environmental groups, and
48 others;

49 WHEREAS, the Salt Lake County Sheriff's Office has recently identified two trends
50 within Utah Hispanic gang culture, including more transplants from California gangs and an
51 increase in gang members from Mexico's large drug cartel gangs;

52 WHEREAS, the Salt Lake County Sheriff's Office reports that as much as 70% to 80%
53 of the area's street level narcotics have been imported either from or through Mexico and drug
54 gang members in Utah are involved in the distribution of drugs like cocaine, Mexican tar
55 heroin, marijuana, and methamphetamines;

56 WHEREAS, gangs are involved in human trafficking and in modern day slavery of
57 various types;

59 WHEREAS, gangs have traditionally major involvement in criminal activities,
60 including the production, transportation, distribution, and use of illegal drugs, money
61 laundering, murder, witness intimidation, extortion, theft, rape, kidnaping, prostitution, and
62 weapons violations, and often attempt to cover their illegal activities with legal businesses;

63 WHEREAS, rural areas throughout Utah are encountering a flow down effect from
64 gang activity in Salt Lake County and Las Vegas;

65 WHEREAS, illegal immigrants too often become involved in gangs as evidenced in the
66 St. George area where the largest gangs frequently include illegal immigrants who integrate
67 within and prey upon a rapidly growing illegal immigrant community;

68 WHEREAS, legal immigrants and minorities are too often the victims of gang-related
69 activities and violent crime in their communities;

70 WHEREAS, St. George and the surrounding area has a growing number of white
71 supremacist, Straight Edge gangs, Native American gangs, and motorcycle gangs;

72 WHEREAS, the most effective way to address gang violence is through a zero-tolerant
73 law enforcement approach coupled with statewide, community-led efforts to counter gang
74 activity through parental responsibility and a wide range of civil and educational programs;

75 WHEREAS, the Center for Immigration Studies reports that illegal immigrant gang
76 members rarely make a living as gangsters but typically work by day, often using false
77 documents;

78 WHEREAS, some gangs are involved in the production and sale of false documents
79 used by other illegal immigrants to commit major felonies including identity fraud, while
80 obtaining jobs;

81 WHEREAS, the Center for Immigration Studies has concluded that immigration law
82 enforcement is a key ingredient in the success of criminal gang suppression efforts;

83 WHEREAS, research has found no "chilling" effect on the reporting of crime as a result
84 of local law enforcement partnerships with Immigration and Customs Enforcement (ICE);

85 WHEREAS, gang task forces would benefit from collaborating and working with an
86 ICE agent or local officers with formal immigration law training because programs aimed
87 solely at removing incarcerated illegal immigrants are not as effective in addressing gang
88 activity as investigative programs; and

89 WHEREAS, local law enforcement agencies that shun involvement with immigration

90 law enforcement are missing a critical opportunity to protect their communities:

91 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
92 urges zero tolerance of gang activity or of any activity that facilitates the establishment, growth,
93 and functioning of gangs of any type in Utah.

94 BE IT FURTHER RESOLVED that the Legislature urges law enforcement and the
95 courts at all levels to aggressively target all activities that gangs engage in, beginning with
96 graffiti and petty crimes, in order to disrupt gang activity and to discourage youth from
97 becoming involved with gangs.

98 BE IT FURTHER RESOLVED that the Legislature urges state and local law
99 enforcement authorities to partner with and take advantage of the special measures that federal
100 immigration law provides to encourage cooperation of witnesses and informants, and to protect
101 victims of crime in order to disrupt criminal gang activity, remove illegal immigrant gang
102 members from the streets, and better protect the public.

103 BE IT FURTHER RESOLVED that the Legislature urges employers to use an identity
104 verification system to eliminate the market for gang-produced fraudulent documents which
105 facilitate cover for gang members who are involved in the drug trade and other violent criminal
106 activities including rape, underage sexual activity, human trafficking, murder, and modern-day
107 slavery.

108 BE IT FURTHER RESOLVED that a copy of this resolution be sent to Immigration
109 and Customs Enforcement, the Utah Department of Public Safety, the Utah Highway Patrol,
110 the Administrative Office of the Courts, the Utah Chiefs of Police Association, the Utah
111 Sheriff's Association, and to the members of Utah's congressional delegation.

Legislative Review Note
as of 3-1-10 8:23 AM

Office of Legislative Research and General Counsel

S.J.R. 18 - Gang Crime Awareness and Enforcement Joint Resolution

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
