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FOR INFORMATION CALL

Dec. 29, 2005

Ald. Tony Zielinski
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MOB BEATING AFTERMATH: Using Anti-Loitering Laws To Fight Gangs

News Conference at City Hall today

“We must do more to stop gangs that terrorize law-abiding citizens.” That comment from Ald. Tony Zielinski as he announced plans to introduce an anti-gang loitering ordinance following this week’s attack on a 50-year-old Milwaukee man who was dragged from his car and nearly beaten to death.

Gangs seem to have taken over certain neighborhoods, said Ald. Zielinski, and this ordinance, co-sponsored by Ald. Willie C. Wade, in whose district the beating occurred, Ald. Robert J. Bauman and Ald. Jim Bohl, would give police another tool to deal with roving gangs of young people.

Alds. Zielinski, Wade and Bauman and Deputy Chief Brian O’Keefe of the Milwaukee Police Department will be among those at the news conference this morning at 11 a.m. at City Hall (200 E. Wells St.) to discuss the ordinance and the latest information on the beating of Samuel McClain, who is now listed in satisfactory condition.

The news conference will be held in the third floor Anteroom of the Common Council chamber. Media coverage is welcome.

“Members of criminal street gangs avoid arrest by committing no offense punishable under existing laws when they know police are present, but they still maintain control over certain areas by continued loitering,” said Ald. Zielinski. “That is the problem with current city laws, in that police can’t use the law to disperse groups unless they are observed breaking specific laws.”

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Anti-Gang Loitering Ordinance/ADD ONE

“Current laws are inadequate to deal with problems posed by gangs loitering -- principally because conventional laws generally depend on the willingness of civilians to testify against gang members and drug dealers,” said Ald. Wade, “and many civilians are understandably reluctant to put themselves in harm’s way by providing such testimony.” “This type of legislation will give the police the chance to be proactive with this intimidating-by-occupation type behavior.”

In the early 1990s the city of Chicago passed an anti-gang loitering law after many citizens complained that they were being terrorized by the activities of street gangs. During the time the law was enforced, more than 43,000 arrests were made.

While there were constitutional questions raised, Ald. Zielinski said the U.S. Supreme Court has offered communities very specific guidelines about how to draft a constitutional anti-gang loitering ordinance based on the Chicago model that carefully defines “gang loitering” and only empowers police to disperse persons reasonably believed to be involved in gang loitering.

“Milwaukee police have been aware of the problem of people gathering in the street and blocking traffic and do issue loitering tickets, but unless we observed some type of criminal activity there is little more we can do,” said Deputy Chief O’Keefe. “A specific anti-gang loitering ordinance would give us another enforcement tool to deal with gangs controlling neighborhoods and intimidating law abiding citizens.”

Ald. Zielinski says residents will be given the opportunity to comment on the proposed anti-gang loitering ordinance when a public hearing is scheduled before the Common Council’s Public Safety Committee.