



RONDO DAYS FEST OFF LIMITS TO GANGS - JUDGE GRANTS RESTRICTIONS ON 18 ALLEGED MEMBERS

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Mad Ron, Little Havoc and Freaky won't be able to hang out together this weekend at St. Paul's Rondo Days Festival.

And Chubby, Red Dog and Beasty won't be able to make any sign that resembles a pitchfork at Saturday's event.

According to the city of St. Paul, Mad Ron, Little Havoc and Freaky are the street names of members of the Selby Siders gang, and Chubby, Red Dog and Beasty are East Side Boys.

The city obtained temporary injunctions Wednesday from Ramsey County District Judge Michael Monahan barring nine reputed members from each gang from associating in public with fellow gang members, using gang signs, wearing gang clothing or intimidating witnesses or victims at the festival.

The injunction will run from 9 a.m. Saturday until 6 a.m. Sunday in a so-called "safety zone" bounded by University, Hamline and Summit avenues and Rice Street.

This is the second time St. Paul has used a 2007 state law that lets cities ask a judge to declare a gang a public nuisance in order to restrict members' movements and activities.

13 gang members from the Cinco de Mayo festival. The injunction was the first of its type in Minnesota, and St. Paul police Cmdr. Tina McNamara, head of the gang unit, said it worked well. "Cinco was very successful," McNamara said. "We didn't see the gang colors, the gang signs."

Wednesday's injunctions were aimed at what city officials described as the "most active and influential" members of the Selby Siders and the East Side Boys.

City Attorney John Choi said the East Side Boys have about 100 members and the Selby Siders have about 180.

To obtain the injunction, the city cited six incidents allegedly involving East Side Boys in the past 12 months. Those included assaults, drug incidents and a drive-by shooting. The city said Selby Siders were involved in eight incidents, including assaults, a drive-by shooting and terroristic threats.

"In the last six months, we've had an alarming increase in violence between these two gangs, and it's critical we're proactive that this violence doesn't spill over and have a negative impact on the community," Choi said.

Brandon Smith, one of the nine reputed Selby Siders named by the city in court documents, objected to the injunction during the hearing Wednesday.

Smith, 18, said he didn't have a criminal record and he wasn't in a gang. However, Smith met at least four criteria of a 10-point system maintained by the Metro Gang Strike Force, according to an affidavit filed in the case by St. Paul police officer Sandra Kennedy. Law enforcement can record a person as a "confirmed gang

member" if he or she is at least 14, has been found guilty of a felony or gross misdemeanor and meets at least three of the 10 criteria, according to the Gang Strike Force's Web site.

"They're trying to label us as gang members so we can't go to this cultural event we've been going to for years," Smith said. "We're just a group of friends who like to hang out.

"I don't think it was fair," Smith said after the hearing. "I thought we were in the United States."

Ronald Smaller, 18, complained the injunction would keep him from attending the festival with his brother, Raishawn Nixon. The city named both as Selby Siders. Smaller said he isn't a member of the gang. He said because of the injunction, "I'm just going to stay home that day."

Neither Smith nor Smaller was represented by a lawyer.

No members of the East Side Boys spoke at the hearing. But one of those named in the injunction, Sirvonte Varner, 21, of St. Paul, attended.

"It doesn't affect me," Varner said afterward. "I wasn't planning on going to Rondo Days."

Varner said, "I know a lot of East Side Boys. I have been around a lot of them." But he said he is not a gang member. He said he's employed with the city's Human Rights Department. "I'm a working man," he said. "I work every day."

Assistant City Attorney John Kelly said the injunctions don't prohibit the nine Selby Siders or the nine East Side Boys from going to the festival. But they can't be seen together there. That means no "associating, standing, sitting, walking, driving, bicycling, gathering, or appearing anywhere in public view or any place accessible to the public" with fellow gang members at the event.

The injunction makes three exceptions: Fellow gang members can be together in church or at an official school class or event or at an anti-gang, anti-drug or anti-crime program.

Violation of the injunction is a misdemeanor.

Choi said the city may consider seeking anti-gang injunction at other events, including high school games.

Charles Samuelson, executive director of the American Civil Liberties Union of Minnesota, said the injunctions are vague and possibly too broad.

He suggested that Mayor Chris Coleman and Choi want to look tough on gangs because Coleman has ambitions to run for governor and Choi wants to be Ramsey County attorney.

"This should trouble everybody who believes in the rule of law and that you're innocent until you're proven guilty," Samuelson said. "What the city is doing is not illegal. It's not right, but it's not illegal.

Choi dismissed Samuelson's suggestion that political ambition motivated the injunctions. He said the city started seeking legislation making the injunctions possible back in 2006.

GANG CHECK LIST

The Metro Gang Strike Force uses the following criteria to show gang membership. In Minnesota, a person must have been found guilty of a felony or gross misdemeanor and be at least age 14 to be entered into the system. The person also must meet at least three of 10 criteria before he or she can be entered into the State Pointer File as a "confirmed gang member":

- Admits gang membership or association.
- Is observed to associate on a regular basis with known gang members.
- Has tattoos indicating gang membership.
- Wears gang symbols to identify with a specific gang.
- Is in a photo with known gang members and/or using gang-related hand signs.
- Name is on a gang document, hit list or gang-related graffiti.
- Is identified as a gang member by a reliable source.
- Arrested in the company of identified gang members or associates.
- Corresponds with known gang members or writes and/or receives correspondence about gang activities.
- Writes about gangs (graffiti) on walls, books and paper.

Source: Metro Gang Strike Force

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