



NAACP Houston Branch Official Position Regarding South Lawn Gang Injunction

The Southlawn injunction violates First Amendment rights to freedom of assembly, Fourth Amendment protections against arrest without warrants and probable cause, Fifth Amendment due process rights and Fourteenth Amendment equal protection guarantees. The injunction restricts the movement of African-American males and labels them gang members using arbitrary and arguably capricious criteria.

We are both cognizant of and compassionate to the desires of Southlawn residents who live in a community under siege by violent criminals and criminal activity. However, trampling the civil rights of individuals in order to curb criminal activity is NOT the proper solution. We cannot afford to allow government to steal our freedom and rob us of our liberties under the disguise of law enforcement. Individuals who are the subject of the injunction may have made mistakes, but none that merit their segregation from an entire community. Society has witnessed the evils of segregation and the injunction sets a dangerous precedent allowing public officials to manipulate the courts into restricting access to our communities.

The real dilemma in Southlawn is poverty, unemployment, failing schools and lack of opportunity. Labeling black men as gang members (using ambiguous criteria) and advocating their incarceration while ignoring the systemic roots of disenfranchisement only adds to the problem.

The solutions to Southlawn criminal activity are more jobs, more opportunity, more role models, more high school graduates, and more voters; not MORE black men in prison.

The NAACP-Houston calls for the immediate Non-Suit of The Southlawn Gang Injunction. We recommend that the County Attorney and District Attorney work with community leaders to define gang activity using existing federal standards as a model. The development of clearly defined objective criteria diminishes the ability of law enforcement to arbitrarily interpret gang status as a means of avoiding the burden of good old fashioned police investigation, and zealous prosecution. Restricting these individuals from entering premises that are identified by address and arresting them *after* they have received written notice (perhaps in the form of a citation) is a far less intrusive means to obtain the desired objective.

We support the efforts of Mayor Turner, Councilman Dwight Boykins, State Representative Boris Miles and other community leaders to invest resources to both address criminal activity and combat disenfranchisement in the Southlawn community. Particularly The Turnaround Houston program assists residents of high poverty, unemployment and crime overcome the barriers to find employment. Darrell Jacobs and at the City of Houston Community Reentry Network Program work diligently to assist individuals with their transition from prison to the community. Operation Outreach is a program run by Reginald Gordan that provides role models and support to underprivileged children and families. The NAACP is committed to remain actively involved in these and other programs in furtherance of improving the conditions of the residents of Southlawn.

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