

# V.C.F. GANGS <sup>RP</sup> <sup>P. 1</sup> 'Intense' probation a crossroads for gang members

By LANE WALLACE  
STAFF WRITER

**'D**O YOU LIKE the program?" Probation Officer Lynda Smith asked the young Watsonville man on "intense supervision" probation for gang-related crimes.

"No," he replied. "It's too strict."

That's exactly the point — it's supposed to be so strict that a man will think twice about violating probation.

Intense supervision is a crossroads for young gang members who are one step away from going to prison.

They're closely watched and can be sent to jail or prison for even a minor violation, but they're also getting counseling designed to steer them away from gangs and

crime.

The terms of probation prohibit associating with other gang members, wearing gang colors, or visiting places where gangs gather. The probation terms can also allow police or a probation officer to search the probationer's home. Other conditions, such as a ban on drinking, can be added on a case-by-case basis.

Those on intense supervision are assigned to Smith, whose caseload is light enough that she can check on her probationers frequently, including unannounced visits to their homes at odd hours. (See adjacent story.)

Most of the 20 young men in program have been convicted of violent crimes and have prior records.

FEB 12 1994

The program is "designed with an eye to catch the people who seem to be slipping through the cracks," said Assistant District Attorney Patty Bazar, who prosecutes most of the intense-supervision cases.

The long list of conditions and the threat of prison indicates that "we're not fooling around," Bazar said. One man who was scheduled to enter the program, Michael Toledo, didn't even get out of jail.

While he was awaiting sentencing on charges stemming from a drive-by shooting, Toledo attacked another inmate, deputies said, and was subsequently sentenced to prison. Several men have committed crimes in the first few days after they're out of jail and are

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Attorney

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back in custody before they've had a chance to get counseling.

Smith estimates five gang members on intense supervision have been sent to prison, and another half dozen have done significant jail time for violations. Often, she said, those who violate have not been taking the program seriously.

Neither the intense supervision or long list of probation conditions are new. But it wasn't until six months ago that everything was meshed into a single program, with all the counseling at Fenix Services in Watsonville. Smith, Bazar and the Fenix staff share information about people in the program.

Judge Heather Morse, who handled a number of intense supervision cases in Superior Court, said some men "straighten right up" when they get on the program.

"I've also sent some (to prison) right off the dime" for probation violations, said Morse, adding that she wishes there was money to include everybody on probation on intense supervision.

The intense supervision program is part of a Watsonville program called BASTA — Broad-based Application to Sup-

pression and Treatment Alternatives, funded by a \$400,000 state grant for three years.

The intense supervision program is for adults; the rest of BASTA is for dealing with gang issues for juveniles.

□ FEB 12 1994

**W**HEN GANG members go to Fenix Services for counseling, they're looking at a man who was once one of them.

Counselor Mike Chavez, 39, was leader of Watsonville's Northside gang in the early '80s. Chavez said he took some advice from his father and got out of the gangs.

Chavez said his goal is "break the chain of ignorance," quickly adding that he isn't saying gang members are ignorant. Chavez said he shows his clients "another lifestyle. I just give them some respect."

Chavez said he considers himself lucky. "I'm supposed to be dead or in prison," said Chavez, who got out of the gang 13 years ago.

He's been living in Watsonville since then, raising a family and coaching Little League every year, including some championship teams. Two years ago, Chavez left a sales job and joined Fenix. He also counsels teenagers in other Fenix programs.

Chavez is soft-spoken, but

don't let that fool you. "Mike is frank" with the men he counsels, said Lynn Miller, Chavez's boss at Fenix Services.

Miller said gang members "grow into a pattern of behavior," and achieve status within the gang.

A common problem among gang members is drinking; Chavez said drinking is involved in "99 percent" of gang violence.

One man in the program, who spoke on the condition that his name not be used, said the counseling is the best part.

The 20-year-old man said he was impressed that Chavez contacted him about the program before he got out of jail. "I can put confidence in him. He knows how it is."

He has stayed out of trouble for nearly a year, but he's still subject to searches at any time. Police have searched his home several times to see if there's any gang paraphernalia.

The man doesn't think such searches are fair, nor does he like the ban on associating with other gang members. He goes along with it, he said, because he doesn't have a choice.

The man is attending trade school and will be off probation in a little over a year. He doesn't intend to renew his gang associations. "Maybe just to say hi, but not to hang around," he said.

## Extra attention for serious offenders

Probation Officer Lynda Smith knows the young men she deals with call her "the blonde bitch" behind her back, and she takes a certain amount of pride in it.

"It means I'm doing my job," said Smith, who has been working a reduced case load in Watsonville for three years so she can give extra attention to the most serious offenders.

Smith sees young men in the "intense supervision" probation program for gang members at her office in the Watsonville police station, but her visits aren't always at the office.

"You'll find me making (unannounced visits) at their houses at night and on the weekends," said Smith, who also checks the bars to see if somebody is where he isn't supposed to be.

And if she tells a man on Monday she'll see him again on Friday, she might see him that

night to make sure he isn't using drugs with the idea that he will be "clean" by Friday.

If a man on probation is accused of a new crime, the police will be involved. It's Smith's job to watch out for those technical violations, such as associating with other gang members or, in some cases, even drinking a beer.

Even one technical violation can mean more jail time, and a string of them could mean a prison sentence.

Being a probation officer "is a tremendous responsibility," Smith said. "You have to make value judgments. It's almost overwhelming."

While Smith is known for keeping a close eye on the men on her case load, she uses discretion. If a man is making progress, she said, she may give him the benefit of the doubt on a technical violation.

"I want them to do well," said Smith, who refers to the men as "my guys."

"Once you get the gang veneer off and see the rest of the person, you find they have some diverse aspirations," Smith.

One man on Smith's case load — she calls him a "gentleman" — has a long record of gang activity, but has kept out of trouble for the last six months.

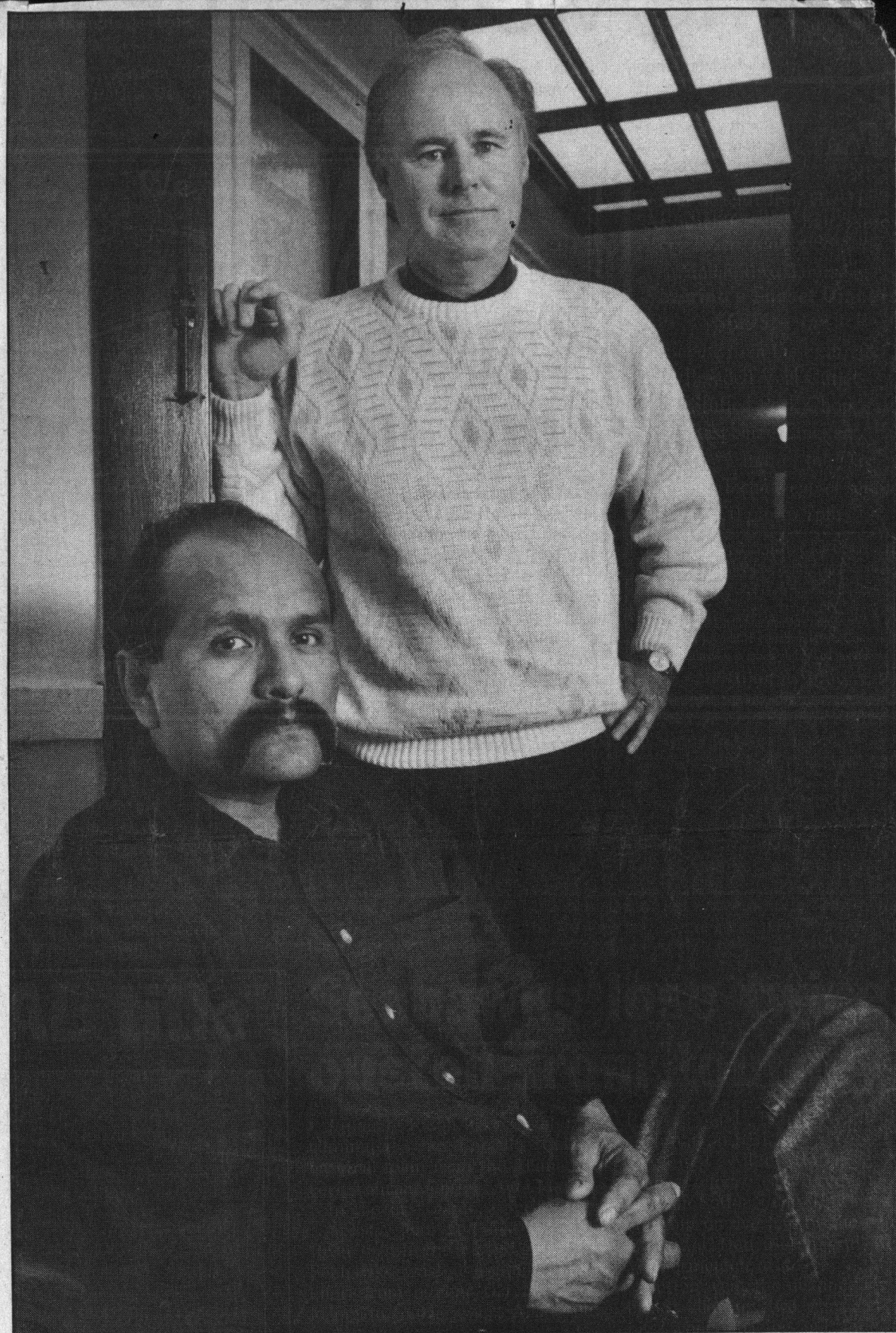
The man, who is in his late 20s and is married with three children, has already been to prison and faces more prison time if he commits a new crime.

"He hasn't violated again. He's put forth so much effort" to straighten out, Smith said.

When Smith told the man she wanted to reduce his supervision, the man objected.

"I need the structure," the man told Smith.

— Lane Wallace



Mike McCollum

Fenix Services counselor Mike Chavez, seated, knows whereof he speaks when counseling young offenders. Shown here with his boss, Fenix Services director Lynn Miller, Chavez, 39, was leader of Watsonville's Northside gang in the early 1980s. He took some good advice from his father, Chavez said, and got out.