

Judge agrees to recuse himself in gang injunction

By Raul Hernandez

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Ventura County Superior Court Judge Frederick H. Bysse agreed at a hearing Monday to recuse himself from court proceedings involving the gang injunction against the Colonia Chiques gang.

The District Attorney's Office asked Bysse to step down because the judge was spearheading efforts to set up a gang recovery program, including having discussions with District Attorney Greg Totten; Oxnard Police Chief John Crombach and also Cal Remington, chief probation officer. He praised the three for the work they've done, including interacting with community members.

Prosecutor Karen Wold said in

an interview that the informal request was made because if this issue comes up during hearing on the gang injunction, they might need the judge to testify.

Bysse was involved in the recovery program, he said, because while the injunction is a tool, it isn't a solution to the gang problem. The community needs to find ways to help those who want to get out of gangs, he said.

"This type of (gang recovery) program would be appropriate to develop," the judge said.

Under the gang injunction, Colonia Chiques gang members named in the court order can't associate with other gang members, wear Dallas Cowboys attire and are under a curfew.

Wold said the gang recovery program is a "good and positive thing" but it shouldn't be incor-

porated into the gang injunction.

"The court's ability to try and get a program put together is admirable, but it interferes with the ability to oversee the functioning of the civil lawsuit," said Wold outside the courtroom.

Deputy Public Defender Jay Leiderman, who represented some of the gang-injunction defendants, agrees.

"Our position, the whole time, is there needs to be a viable opt-out program as soon as possible," said Leiderman. "The whole purpose of the gang injunction is to allow gang members, through working with the court, to escape gang life."

While the gang recovery program is merely a proposed plan, the judge did incorporate an opt-out provision. It gives individuals the opportunity to be dropped

from the injunction by renouncing ties with gang life, declaring consistent employment for a year and declaring that he or she has not been arrested in five years.

Leiderman said the judge's exit could leave the fate of the proposed opt-out and gang recovery program in limbo.

"It's too bad. We really want to get something going with the community where people can get themselves out of the gang injunction," he said.

Community activist Armando Vasquez, who has organized several meetings with community leaders, state agency officials, police officers and others to discuss the proposed gang recovery, criticized the district attorney. Totten is only interested in putting gang members behind bars, Vasquez said.