

Taking Action as a Manager / Owner

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How do managers / owners deal with illegal activity at a rental property?

If a resident is conducting illegal activity at the rental property, a criminal conviction may not be as expedient as taking civil action. For instance, if a resident is suspected of selling drugs or gang activity, you **should** contact the police, but be prepared to take action yourself. Document all the activities you and others have observed, because you may have more ability to deal with the situation. Once you have documented the activity, contact your Spokane C.O.P.S. Substation to make your report. Each Substation has a police officer (Neighborhood Resource Officer) available that will review the report and establish the correct course of action. You may also contact the Spokane Crime Reporting Center at 532-9266 to make your report.

For example:

Law enforcement frequently receive calls from property managers / owners or residents about a person on the property with a gun or that there are “gang members” on their property. As long as the person is not pointing the gun at anyone or posing a threat, the person is probably not breaking any laws. It is generally not against the law for a citizen to own a gun or to carry a gun, provided certain laws regarding possession and sales are met. If it is a concealed weapon, they must have a permit.

Criminal laws against threatening a resident or another person requires a considerable amount of proof. Civil laws regarding residents of rental property include **intimidation**, which is a lot easier to prove. In this case, the management may have more authority to deal with gun-toting residents than the police.

Property managers / owners have tried to make rules prohibiting residents from carrying guns on the property, but they conflict with the U.S. citizen’s constitutional right to bear arms, absent a restriction such as ‘prohibited felon’ status. Rules regarding the behaviors associated with firearms will be more enforceable.

How do managers / owners deal with gang members?

Many managers / owners expect the police to TELL them if a person is in a gang so they can take action. The police **cannot legally tell you** if a person is or is not in a gang. It is **NOT** against the law to be in a gang. It **IS** against the law to commit ‘criminal gang activity.’ Membership in a gang, in and of itself, is not illegal.

A gang is a group of people together for a common purpose. A criminal gang is a group of people together for **criminal purposes**. There is a BIG difference.

If a gang member commits a criminal act on the property, such as graffiti, now the police can get involved. If it is graffiti, your first step is to call the Graffiti Hotline, 625-4180, to report the graffiti, location, etc. The report will be given immediately to your nearest Spokane C.O.P.S. Substation for a C.O.P.S. volunteer to take photos of the graffiti, measurements and figure the damage estimate. The photos and report will then go to Spokane Police Special Investigative Unit. SIU will know whether the graffiti is gang related or not, and appropriate action will be taken.

If you suspect persons in your rental property are gang members, it is best for you as the manager / owner to **visually confirm gang activity or membership by behaviors, pictures, language, clothing or activity** and document what you see and hear. Again, once you have your documentation, contact your Spokane C.O.P.S. Substation to make your report. The Neighborhood Resource Officer (NRO) will review your report and determine the action.

WHO YOU GOING TO CALL?!?!?!?

**If there is an emergency or
something is happening RIGHT NOW that seems suspicious and you need an officer...**

**CALL
911**

If an activity has ALREADY HAPPENED and you need to make a report...

**CALL
Spokane Crime Reporting Center
532-9266**