

The dark side of policing gangland

Being on the street at night in a gang area is treated as criminal activity, writes **Hanna Ingber Win**

INSPECTOR Dougless Moses stops to search a man for drugs and weapons. I ask how he knows who to search. He says he searches those who act like gangsters.

"How do you know who is a gangster?" I persist.

"The way he walks, and the way he is dressed, and the way he's looking at you," Moses says.

"The gangsters wear jewellery and have a 'killer look'," he says.

I am with Cape Times photographer Mxolisi Madela on a ride along with the Philippi police.

It is Friday evening, and we're going to gang-ridden areas. I think it's going to be a wild night of chasing criminals and dodging bullets. Hectic, as South Africans say.

It all turns out a little different. Madela and I load into Moses's police vehicle and make the rounds in Hanover Park.

It is just after 5pm, and there are children everywhere. Kids climb on a pile of cement slabs and play in trash. Some play on dirt lawns, others hang out in the streets, drawing with chalk or jumping rope.

We spot a few boys gambling and speed up to them; they run off.

Some of the children walk around with older siblings or parents. The vast majority play unsupervised.

We drive past dilapidated flats and crumbling homes, some with graffiti-covered walls. Dogs stand in the middle of the road. Abandoned cars line the street.

As Moses honks at people to get out of the road, I marvel at the garbage that fills the community. In some places it resembles a landfill.

Men gather around fires to stay warm. Women return home carrying groceries.

Madela, who has recently moved from Nyanga to Salt River, says: "I prefer life in the townships than the suburbs."

In the suburbs, he says, people stay inside behind locked doors and barbed wire fences. In the townships, people gather outside and "everyone is friendly to each other."

We pull up to two young women standing on a busy street.

Moses tells them to leave, and then tells me they are prostitutes. One is pregnant.

We head back to the station and listen to a briefing by Basil Vellai, the senior superintendent in charge of operations.

It is a few days after six-year-old Mikayla Rossouw was found dead in her neighbour's shack in Swellendam, and Vellai tells us something similar could happen here.

Parents leave young children to play in the streets, he says.

"Our community is very neglectful of the children."

There hasn't been a shooting in Hanover Park in the last three weeks, Vellai says, but about a month ago, there were a number of gang-related deaths and attempted murders. During April, May and June, 18 firearms were confiscated, and there were 213 drug-related cases, he says.

He says the boys look up to the gangsters as role models, and the girls, even those who "come from

good homes", want to date gangsters because they drive nice cars.

Girls in the community, he says, "offer sexual favours for drugs, food, money and clothes".

The police, Vellai says, must "use force to fight force".

We listen to Vellai with a group of young volunteer reservists who come from Hanover Park.

Reservists are employed at stations throughout the country, he says, to improve the perception of the police and get the community involved in policing their own.

As we prepare to go back to the streets, Vellai pulls us aside and makes one request to Madela.

Vellai smiles warmly and says sometimes police have to do what police have to do, but please don't photograph the police officers beating up the gangsters.

"We have to bend the law just to discipline them," he says.

Madela and I request bulletproof vests, but Moses says we do not need them.

We load into an armoured vehicle with about a dozen reservists. As we cruise around, the driver points out the gang areas as I peer through the bulletproof windows. But then we get out of the armoured vehicle to patrol the areas on foot.

There are about 15 of us storming through Hanover Park's gang areas like a gang ourselves. We are a combination of police officers and reservists. Almost all wear bulletproof vests. I try to stick near the others' vests.

The young reservists chat among themselves and make friendly conversation with me. Most are reservists in the hope that they can get trained and soon be paid.

Mooreeda Blankenberg tells me she is 33 and very active in her community. She formed a Concerned Mothers group after her six-year-old daughter was almost hit by gang gunfire at her school pickup point.

Blankenberg says she works at a soup kitchen, counsels the gangsters and spends all her time "helping people in the community". She is a superstar, I think to myself.

As we move through Hanover Park, the cops and reservists stop and frisk anyone they want.

They pat them down, empty their pockets and remove their shoes and gloves. The person's crime, from what I can tell, is standing outside in a gang area after dark.

I guess cops in South Africa can search anyone they want. In the United States they need reasonable suspicion.

As these cops and young, giggling reservists parade up to people and pat them down, Blankenberg, the volunteer superstar, searches a teenage boy and finds a chocolate bar in his pocket.

She finds no drugs or firearms, so she returns his money. But she keeps the bar.

The boy runs up to her to get it back. Blankenberg splits it, returns half and eats the other half of the chocolate bar.

I am surprised to see female reservists searching and patting down males. But then one of the officers



pulls the reservists aside and tells the women they can only search women, and the men can only search men. Otherwise, "that's sexual harassment", she says.

A bit late in her training lesson. The female reservists approach teenage girls and young women and grab their breasts to find hidden drugs. The residents do not act surprised.

Please, I think, tell me this is not allowed in the US.

If some cop came up to me because I was standing outside after dark and grabbed my breasts, I'd be furious and feel unbelievably violated.

As our gang of police march around the flats, more children, adults and mothers holding babies spill out into the street to watch.

We arrest a man for having 25 sachets of dagga on him, and masses of people gather around.

I spot a two-year-old boy staring at us with his eyes wide open. The entire time we are there, with our posse of officers and the shining lights of the armoured vehicle, the toddler watches us. No parent comes to take him away.

The officers find a small plastic bag with a pill that could be tik on a teenage girl nearby.

More people gather around her. The two-year-old walks over and starts crying.

"Where are his parents?" I ask the crowd. "Take this child away."

The crowd looks at me and laughs. The boy continues to cry.

As the night continues, I see so many children exposed to the police

searches. I do not see a single parent or older sibling lead the kids away to be shielded from the raid.

One of the cops points out the children to me and says: "They're supposed to be indoors already".

Gang shootings take place in the areas where the children play. "This is how they get hurt."

The raid continues, and I see a police officer lightly hitting a kid with his baton like he was herding cattle.

I see other officers pushing a man into the back of police vehicle, yelling at him and slamming the door on him. An officer tells me it was because he made rude comments to a female officer.

During the two hours I am with the reservists on foot patrol on June 29, they search about 60 people. They arrest two people, including the man thrown into the vehicle for a rude comment ... and find no drugs hidden in any women's bras.

We then do a drug bust with members of the flying squad, which responds to serious incidents such as murder and rape.

The cops tear apart a shack where a Rastafarian family lives, looking for dagga. A five-year-old boy stands on his bed shirtless as the officers dump out drawers and pull off the bedding.

The flying squad members find dagga growing outside the home, which is in the middle of farmland. An older, white officer pulls me aside to show me the plant.

He tells me they did not need a search warrant because they had reasonable suspicion that there

HANDS ON: Police reservists and regular officers in Hanover Park search people (the woman's face, above, has been digitally altered to protect her identity) during a crime prevention raid.

Pictures: MXOLISI MADELA

were drugs in the house, and the Rastafarians might have been able to destroy the plant before they got the warrant.

"What was the reasonable suspicion?" I ask.

"Where you find Rastafarians, you'll always find marijuana," he says. "It's part of their culture."

"Does that mean all Rastafarians are fair game to search?" I ask.

"Yes," he says.

It turns out the officer was wrong. They do need a warrant to search a house, and they had one.

I had thought my Friday night ride along would be an opportunity to learn about crime in Hanover Park. Instead, it became more about watching the police and reservists.

I kept appreciating that I do not live in a so-called gang-ridden area.

Because if I did, even as innocent, law-abiding resident, I too would be fair game to have my pockets, legs and breasts searched for standing outside after dark.

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'Merely being in the area is not reasonable suspicion'

HANNA INGBER WIN

HUMAN rights lawyers commenting on the Cape Times ride along with Philippi police on June 29 say the officers and reservists violated people's rights when they stopped and searched about 60 Hanover Park residents without reasonable suspicion.

In order to conduct a search without a warrant, police must have a reasonable suspicion that the individual is in possession of an illegal substance or is suspected of having committed a crime, prominent human rights advocate George Bizos said.

Police "can't be indiscriminate". Standing in a gang-ridden area after dark does not amount to reasonable suspicion, he said.

"Gangsters don't act in a vacuum. I don't think the mere presence there amounts to reasonable suspicion."

Philippi Inspector Dougless Moses said searches depend on the discretion of the individual officer who "can search anyone".

He said it was permissible for female officers to search any woman "in any circumstances" as gangsters sometimes gave guns and drugs to women to carry.

He also said it was permissible to search individuals suspected of being gangsters.

He said he could identify a gangster based on "the way he walks, and the way he is dressed, and the way he's looking at you".

Gangsters wear jewellery and had a "killer look", he said.

Bizos said using dress and look as a basis for a search was inappropriate because such criteria were "completely subjective".

"Conduct shouldn't be arbitrary," said Human Rights Commission provincial head Ashraf Mahomed. He said a police officer must reasonably suspect that a crime was committed or about to be committed and that the suspect was connected to that crime.

"If simply by the way they were dressed, it is a bit arbitrary."

He also said that female reservists searching boys and men was "unacceptable".

Louis van der Merwe of Lawyers for Human Rights noted that the results of the raid were important to consider: "Searching 50 or 100 or they're only arresting two or three? Then there is something terribly wrong," he said.

Female reservists searching women's bras was only permissible if they had information that drugs were hidden there, Bizos said. "Merely being young and in the area would not be enough."

When Bizos heard no drugs were found in any of the women's bras searched during the raid in Hanover Park, he said it looked as if the searches were not good.

The manner in which the officers conducted the searches also deserves to be examined, Van der Merwe said, adding that if an officer did not introduce himself,



SUBJECTIVE: George Bizos says using dress and look to search is inappropriate.

ask the suspect his or her name and tell the suspect exactly what was happening, then it was an "attack on that person's integrity".

"When you are in a gang area you have to allow some form of latitude to the police," he said.

"But you have to question the method - the manner - in which they conducted the search."

When the Philippi police and reservists searched the residents of Hanover Park on June 29, they did not introduce themselves, ask for the suspect's name or identity document or explain what they were doing.

Police should provide a balance between cracking down on crime and being sensitive to people's rights by enlisting the support of the community, said Mario Wanza, chairperson of Proudly Manenberg, a campaign that works to reduce crime and improve gang-ridden communities. "Reservists play a bridging role between the police and the community. They are able to work out a system that is manageable."

Moses said the searches and visible police presence had "definitely" been helpful in reducing crime in Hanover Park.

Inspector Bernadine Steyn of the SAPS Media Centre said she would not comment on this reporter's ride with the police because the centre did not authorise it.

In another instance of possible police misconduct, two homeless people allegedly died of exposure after Metro Police and SAPS officers in Wynberg confiscated their personal belongings and bedding, according to an advocacy organisation.

The Homeless People's Crisis Committee (HPCC) and members of the homeless community in Wynberg claim that Maria Visser died on June 2 and Melvyn Pietersen died on June 24 from exposure after police conducted an "illegal raid" on May 17 and

left her without blankets. The raid occurred at 9pm near the Wynberg railway station, said Adrian Bezuidenhout, who also had his belongings confiscated.

He said police officers arrived in three trucks and did not show a court warrant, as reported in the Cape Times on June 8.

The HPCC contacted Minister of Safety and Security Charles Nqakula and requested a full investigation into the raid, said Colin Arendse of the HPCC.

"The request has fallen on deaf ears. Everybody is ignoring us," he told the Cape Times.

Councillor JP Smith said making a link between a police operation and a woman subsequently dying from exposure required a "stretch of the imagination". "We find street people dead on the street often. To try to pin one of these deaths on law enforcement, I feel, is malicious."

Homeless people should make an effort to secure a bed at a shelter or contact an outreach worker to prevent dying from exposure, Smith said.

If homeless people remained on the streets, he said, the city first warned the person that specific behaviours - such as urinating in public or obstructing a public place - were illegal, then ensured that an outreach worker was available, and finally insisted the person leave the area.

Any personal possessions left behind were bagged and tagged to be returned later, he said.

Arendse said having people living on the streets was a "social problem, but it didn't help to have police misconducting themselves by having these raids".

Bizos said there was "no basis" for the police to raid the homeless and confiscate their belongings.

If people committed an offence, he said, they should be arrested, taken in and given shelter.

"They certainly can't take away their belongings," he said.

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