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| <b>NORTHAMPTON POLICE DEPARTMENT</b><br><b>Administration &amp; Operations Manual</b>                                 |  |  |
| <b>Policy: Criminal Gangs</b>   |  | <b>AOM: O-426</b>   |
| Massachusetts Police Accreditation<br>Standards Referenced:<br>[41.2.4], [51.1.1.a], [51.1.2], [51.1.1.b], [51.1.1.c] |  | Issuing Authority<br><hr/> John D. Cartledge<br>Chief of Police                     |
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## I. Introductory Discussion

Gangs pose a serious threat to society because of the inherent violence that is associated with their activities. In our community and those communities which surround us, gang activity is on the rise and continues to escalate. Today we identify gang activity as those crimes of violence such as murder, assaults with attempt to murder, assault with a dangerous weapon, robbery, drug law violations, rape by force, kidnapping, assault and battery with a dangerous weapon on a police officer, extortion and witness intimidation. It is our goal to identify and suppress criminal gang activity within our community.

## II. Definitions

- A. **Criminal Gang**: A criminal gang is an association of three or more people that forms an allegiance for a common purpose, and individually or collectively engages in unlawful or criminal activity, and who create an atmosphere of fear

and intimidation within the community. For the purposes of this policy, the word “gang” will be used in place of the words “criminal gang”.

- B. **Gang Member**: A gang member is a person, whether juvenile or adult, who **admits** to gang membership **or** meets two or more of the following identification and validation criteria:
1. Admission to a Credible Witness: Ideally, the admission will be accompanied by additional information about the gang, the accuracy of which lends credibility to the admission. Officers should be aware that young, marginal associates, may falsely claim gang membership as a form of bragging.
  2. Family Member Verification: A parent or guardian identifies the subject as a gang member.
  3. Fellow Confirmed Gang Member or Rival Gang Member identifies the subject as a gang member.
  4. Confidential Reliable Informant identifies an individual as a gang member.
  5. Informant of previously tested reliability identifies an individual as a gang member and their information is corroborated by independent information.
  6. Prior Arrests: Records showing the subject has been arrested with validated gang members.
  7. Gang Documents: Possession (immediate control) of internal documents of a gang, such as by-laws, rosters, hit lists, address books and similar items that only a member would be allowed to possess.
  8. Gang-Specific Tattoos or Brands: Because of the dedication required to permanently tattoo or brand oneself, this criterion is frequently given substantial weight. It is not uncommon for gangs to seriously injure or kill an individual wearing an unauthorized tattoo or brand.
  9. Gang Paraphernalia: Possession (immediate control) or wearing of gang specific paraphernalia or apparel. This criterion must be updated frequently as both gang and popular fads change.
  10. Gang Moniker: A street name or nickname commonly associated with gangs in a particular area. Under normal circumstances, this criterion standing alone would not be given much weight.
  11. Gang Publication: Possession (immediate control) of gang specific newsletters, posters or other such items. Under normal circumstances, this criterion standing alone would not be given much weight.
  12. Authorship: Evidence that the subject has personally prepared gang specific documents and/or correspondence. This criterion is heavily weighted in a custodial setting.
  13. Witness Testimony: Official statement (deposition, courtroom testimony, etc.) that an individual is a gang member.
  14. Group Photographs: Photographs showing the subject with validated gang members (particularly photos where the individuals are showing hand signs, wearing gang paraphernalia, posing with gang graffiti and/or displaying weapons, cash or drugs). As a matter of pride, many gang members will not allow themselves to be photographed with people who are not fellow gang members, or at least close associates.

15. **Frequent Association**: Documented and credible sightings of the individual with validated gang members, particularly at gang parties, gang hangouts, gang funerals, in a courtroom during a gang member's trial, or as a visitor of a validated gang member in jail or prison.
  16. **Correspondence**: Subject exchanges communications (written or electronic) with known gang members.
  17. **Membership Documents**: The subject possesses (immediate control of) credentials, such as a gang membership card, certificate of membership, letter of introduction, indication of gang rank and title, or other such items.
  18. **"Fellow Officer" Intelligence**: A law enforcement or correctional agency may rely upon a representation from another law enforcement or correctional agency that an individual is a gang member.
  19. **Media Representations**: Detailed print or broadcast media accounts describing the subject as a gang member. If such accounts exist, it is likely that far more reliable police, prosecution and court records can be found.
- C. **Gang Associate**: When there are strong indications that an individual has a close relationship with a gang, but does not fit the criteria, they shall be identified as a gang associate.
- D. **Gang Related Incidents**: An incident may be classified as gang related when the investigation reveals any of the following:
1. The participants, suspects, or victims are identified as gang members or associates.
  2. The participants are identified as gang members or associates, acting individually or collectively to further any criminal purpose of the gang.
  3. A reliable informant identifies an incident as the product of gang activity.
  4. An informant of previously untested reliability identifies an incident as gang activity and it is corroborated by other existing circumstances or independent information.
  5. When existing police gang intelligence files identify gang member(s) or associates as participants, suspects, or victims.

### **III. Responsibility of All Police Personnel**

- A. Whenever an individual is suspected to be a gang member because they fit any one of the above criteria, the officer so suspecting shall complete a Field Interview Report (FIR) on the individual, which shall include the above criteria the individual meets. Copies of the FIR shall be forwarded to the Detective Bureau Commander (DBC), who in turn will make a determination as to whether or not the individual shall be identified and carried in Department records as a gang member or gang associate.
- B. With respect to this criminal gang policy, Northampton Police Officers shall:

1. Be aware of the problems of gang-impacted areas, both within their own areas of patrol, as well as, the City.
2. Document gang activity, including all contacts or general interactions. Complete Field Interview Reports for all interactions with gang members who are not under criminal investigation. [41.2.4]
3. Share gang intelligence information and promote gang expertise and awareness throughout the department.
4. Identify wanted gang members, investigate cases, and assist in their prosecution. Arrest wanted gang members and gather evidence against them.
5. Act as a communication link for gathering and refining gang activity information, and for disseminating information to officers responsible for apprehending suspects and preventing gang violence.
6. Keep command officers apprised of gang activity, as well as counter measures being utilized.
7. Work with other law enforcement jurisdictions and agencies.
8. Assist the community in its anti-gang efforts.
9. Comply with all constitutional guarantees and statutes in dealing with all gang matters.

*Note: Gang membership and/or affiliation in and of itself does not separate the individual from the Constitutional Rights afforded any other person not specifically participating in a criminal act. Therefore, threshold inquiries, searches and seizures shall be conducted only under current departmental guidelines.*

## IV. Oversight of Gang Intelligence

A. The Detective Bureau shall have oversight of all Gang Intelligence files.

1. The purpose is to monitor and proactively address any and all criminal gang activities within the community and to assist in the suppression of any illegal acts committed by known gang members.
2. The members of the Detective Bureau shall:
  - a. Gather and organize any and all intelligence provided to this organization in accordance with ***AOM 0424 Managing Intelligence Information***; [51.1.1,a]
  - b. Keep all gang files secure and in good working order; and [51.1.2]
  - c. Make all gang files accessible to members of this department who request to view the intelligence gathered.

B. The DBC will be responsible for the maintenance of the gang file. The DB unit members will have access to this file and will be responsible for disseminating necessary information. Inquiries from law enforcement personnel should be documented in the gang log, which serves as an administrative aid that controls the flow of information. The log shall be maintained in a chronological basis and include:

1. Date and time of information received.
2. Source of information; and
3. Name of officer receiving information.

## V. Gang Intelligence Files

A. Gang File: Should include as much information as possible that has been compiled from reports forwarded to the Detective Bureau, such as: [51.1.1,b]

1. Number of active and associate members.
2. Type of gang (street, motorcycle, car club, etc.)
3. Ethnic composition.
4. Gang's territory and boundaries.
5. "Secret" Hideouts.
6. Types of crime usually committed.
7. Gang's M.O.
8. Choice of victims (undocumented individuals, the elderly, juveniles, etc.)
9. Leaders.
10. Members known to be violent.

B. Gang Member File: Should contain the following:

1. Member's name.
2. Physical description.
3. Addresses.
4. Other relevant identifying data such as: tattoos, names of associates, and locations where they have been contacted or arrested.
5. Recent photograph.

*Note: Many victims and witnesses are rival gang members, and they may attempt to identify rival gang members by requesting to view our photographs.*

C. Incorrect information will be corrected immediately and files will be purged as necessary. [51.1.1,c]

## VI. Parental Notification

When juveniles (under eighteen years of age) are identified as being gang members, their parents or guardians shall be notified by an officer assigned to the Detective Bureau.