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SUMMARY OF REVISION/REVIEW


DEFINITIONS – III. LEVEL 2 GANG MEMER – ACTIVE PARTICIPATION – Language updated.
PROCESS – II. Language updated. Minor grammar changes throughout.

APPROVED:

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 <p>Good Life. Great Mission.</p> <p>DEPT OF CORRECTIONAL SERVICES</p>	POLICY IDENTIFICATION AND MONITORING OF GANG AFFILIATION AND ACTIVITY		
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PURPOSE

The Nebraska Department of Correctional Services (NDCS) ensures that individuals who present a threat to the safety and security of its facilities are identified appropriately, activities are monitored and considered as part of the classification process. Established, objective criteria is used to determine an individual's affiliation and involvement in a known gang.

The assistant deputy director-classification ensures proper identification and monitoring of gang membership activity is coordinated. The gang administrator and gang specialists work together to provide consistent, verified information to facility staff and classification decision-makers. The goal is to focus on the behavior associated with gang membership rather than the membership itself. As such, guilty findings of misconduct are the primary methods for confirming active gang participation. This method of identification and monitoring will require other concrete evidence to be considered until the primary confirmation methods are universally completed.

DEFINITIONS

- I. **GANG OR GANG-LIKE ACTIVITY** - Behavior to include, but not limited to:
 - self-admission.
 - tattoos.
 - use/possession of gang symbols.
 - logos, gang colors, drawings, hand signs etc.
 - conducting criminal enterprise for the benefit of a gang.
 - possession of gang publications, gang related documents, charters, by-laws, procedures, rosters, hit lists, membership cards, certificates of rank/title, letters of introduction, etc.
 - court documents and/or documents received with commitment papers that indicate gang involvement.
 - group photos with known gang members.
 - consistent observed association or contact with gang members.
 - published/broadcast news accounts.
 - assault and/or enterprise for the benefit of a gang.
 - gang information from previous incarcerations.
- II. **LEVEL 1 GANG MEMBER- PASSIVE PARTICIPATION** - Gang membership can be verified by body markings, self-admission, gang-related misconduct during a current or previous incarceration, or detailed reports from law enforcement agencies; however, no gang-like behavior is observed.
- III. **LEVEL 2 GANG MEMBER- ACTIVE PARTICIPATION** - Level 2 may include the criteria for passive participation along with documented behavior as described in the procedures section below.
- IV. **LEVEL 3 GANG MEMBER- DISRUPTIVE PARTICIPATION** - Level 3 requires criteria for levels 1 and 2 along with documented guilty findings of gang misconduct. An individual is identified as a disruptive participant when at least one of the criteria listed in the procedures section below is documented within the most recent 24 months, when those actions are motivated by gang activity. Documentation may include guilty findings of individual disciplinary code 2R of Gang/Security Threat Group activity.

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PROCESS

I. VALIDATION

- A. The gang administrator and gang specialists will gather information to determine whether an identified group will be considered a gang. The Gang Unit will determine level of involvement based on the established validation process. The gang administrator will be the conduit for information to the agency and will ensure documentation of such information for reference, intelligence, administrative, and classification purposes.
- B. Reception facilities shall conduct an evaluation of an individual's gang affiliation upon admittance. Reception team members shall observe individuals for any identifying tattoos, brands, or suspicious marks. Gang unit team members shall question the individual as to their affiliation with any gang or security threat group. Documentation shall be made of any tattoos or other gang related identifying marks. The gang activity notice of cease and desist will be completed and a copy forwarded to the gang administrator.

C. Level Criteria

1. Level 2 Gang Member- Active participant


An individual shall be documented as an active participant in a gang when at least one of the following criteria is documented within the most recent 24 months. Documentation may include individual disciplinary code 2R guilty findings of gang/security threat group activity. Sources of information may also include but is not limited to court/journal entries, pre-sentence investigations, classification, or intelligence reports at the discretion of gang unit team members.

- a. Group photos, new gang related tattoos, possession of gang or security threat group related contraband (alphabets, codes, by-laws, drawings etc.)
- b. Attempting to recruit, organize, guide, or direct other incarcerated individuals for control.
- c. Information received from law enforcement agencies substantiating membership in a gang.
- d. Conviction for participation in a crime related to gang activity.

2. Level 3 Gang Member- Disruptive Participant

An individual is identified as a disruptive participant in a gang when at least one of the passive participation and at least one of the active criteria are met and of the criteria listed below is documented within the most recent 24 months, when those actions are motivated by gang activity. Documentation may include guilty findings of individual disciplinary code 2R of Gang/Security Threat Group activity. Sources of information may also include but is not limited to court/journal entries, pre-sentence investigations, classification, or intelligence reports at the discretion of gang unit team members.

- a. Functioning as a leader, enforcer, or recruiter for a gang.
- b. Threatening or assaulting an NDCS team member or another incarcerated individual when those actions are motivated by gang activity.

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- c. Participation or encouraging others to participate in mutinous actions or activity that disrupts the normal operations/security of the facility when those actions are motivated by gang activity.
- d. Involvement in the conveyance or attempted conveyance of major contraband when those actions are motivated by gang activity.
- e. Conducting disruptive acts (extortion, thefts, robberies, etc.) when those actions are motivated by gang activity.


II. DOCUMENTATION

An individual fulfilling any of the gang criteria shall have a gang identification profile created, listing the specific validated information discovered. Information in the file will include, but is not limited to, the following:

- A. Validated information obtained from reliable informants in writing, or from a confidential interview.
- B. Inspection and monitoring of incoming/outgoing mail to include electronic messaging.
- C. Information obtained and documented through monthly facility gang committee meetings.
- D. Inspection of property and possessions through searches and observation, specifically those items related to gang activity.
- E. General observation of the individuals, observing them for new tattoos, associations, wearing colors, styles of dress, graffiti in living areas, confiscated materials, or hand signs.
- F. Information obtained through coordination with outside law enforcement agencies or intel gathering organizations.
- G. Review of commissary expenditures to evaluate for unusual activity.
- H. Review of requests for protective custody.

III. FACILITY GANG COMMITTEE

- A. Each gang specialist will lead monthly gang committee meetings at their assigned facility. The gang administrator shall coordinate with leadership from facilities without an assigned gang specialist to ensure these needs are met in the form of committee meetings, trainings, or attendance at standing facility gang committee meetings. Goals of these meetings shall include:
 - 1. To assist in identifying trends and patterns in gang activity.
 - 2. To make recommendations regarding strategies to effectively identify, monitor, and manage gang activity.
 - 3. Assist in identification of gang operations, leadership, and associates.

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4. Educate and increase participants capacity to effectively recognize and report relevant information to Gang Unit team members.

5. Review recent incidents of gang activity and discuss potential impacts on facility operation.

B. The facility gang committee shall be comprised, at a minimum of team members in the following roles:

1. Warden or designee

2. Gang Specialist

3. Security Administrator

4. Unit Administrator

5. Unit Management team members

6. A representative from food service, maintenance, A&R, and Custody

IV. MAINTENANCE OF RECORDS, CONFIDENTIALITY, AND USE

The Gang Unit shall maintain individual electronic files on each documented gang member. These files shall contain.

A. Notice of Gang Status form.

B. Acknowledgement of Gang Affiliation form.

C. Photographs or digital files of gang-related scars, marks, or tattoos.

D. Copies of documents depicting gang related signs, symbols, or identifiers.

E. Copies of court documents related to gang affiliation or activity.


F. Copies of reports, misconduct reports, or incident reports related to gang activity.

G. Photographs of any physical evidence related to gang activity.

H. Any other documentation, photos, news articles etc. related to the individual's involvement in gang or STG activity.

I. Correspondence to the individual from NDCS team members related to gang or STG activity.

J. Unless maintained as evidence in a criminal investigation, all physical evidence specifically related to gang involvement will be photographed, and electronic copies transferred to the Gang Unit team member for inclusion in the file.

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V. PROCEDURES

- A. All new and updated gang identification profiles shall be entered in the NICaMS/ibase database as well as all other scanned and attached supporting documentation.
- B. The NICaMS/ibase shall be reviewed by the Gang Unit team member as needed and at least annually for all level 2 and level 3 gang members and every two years for all level one gang members to reevaluate the appropriate level of participation, if no gang related activity is noted during review gang members will be reduced by a level.
- C. Individuals who complete a term of incarceration and return to NDCS within two years of their release shall be maintained at their previous level of participation until their first annual or biannual review, unless new activity warrants an increase.
- D. Gang Unit team members will ensure accurate information is entered into the NICaMS system to maintain updated rosters of all identified gang members.
- E. Access to the NICaMS/ibase and relevant dashboards shall be issued on a need to know/right to know basis as determined by the gang administrator.
- F. Information contained in Gang Unit files shall be used only for official NDCS business or as necessary for law enforcement purposes.

REFERENCE

- I. STATUTORY REFERENCE AND OTHER AUTHORITY – None noted
- II. NDCS POLICIES – None noted
- III. ATTACHMENTS
 - A. Gang Validation Worksheet
 - B. Notice of Gang Status
- IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) – None noted