

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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SUPERSEDES: November 26, 2012

SUBJECT: GANG AFFILIATION – SPECIAL PROCEDURES FOR THE DISTRICT PAROLE OFFICER

AUTHORITY: TEXAS GOV'T CODE §§ 508.1141, 508.227

PURPOSE: To outline procedures to assist the Parole Division (PD) in identifying and responding to clients who are confirmed or suspected members of gangs, hate groups, or other security threat groups.

DEFINITIONS:

Security Threat Group (STG) – A group of inmates or clients that the Texas Department of Criminal Justice (TDCJ)-Security Threat Group Management Office (STGMO) has determined pose a threat to the physical safety of inmates, clients, staff, or the public due to the organization and activities of the STG. Gangs and other STGs exist both in the institutional setting and in the community (Refer to Attachment A for the current STG list. Updates are made to this list as provided by the STGMO.)

Criminal Street Gang – An ongoing association or group of three or more persons, whether formal or informal, where one of the primary activities is the commission or promotion of criminal conduct by its members. These groups generally have a common name or identifying sign or symbol, and its members will have individually or collectively engaged in a pattern of criminal gang activity.

Suspected Gang Member – A person suspected to be associated with a gang based on established STGMO or law enforcement gang intelligence investigations.

PROCEDURE:

- I. When a client is identified as a confirmed gang member, staff shall take steps to ensure surveillance of the client in enhanced according to this policy, regardless of the date of the client's offense or the date of their parole or mandatory release.
- II. The release certificate for a client with Special Condition "O.08 – No gang activity" shall require a client to have:
 - A. No affiliation with any gang or no participation in any gang activity.

- B. No contact or attempted contact with any other gang or gang member. If there is any inadvertent contact with alleged gang or gang members, the client shall immediately leave and not threaten, assault, or verbally abuse them.
- C. No gang-affiliated confrontation, communications, gestures, clothing, and exhibition of colors.
- D. No possession of contraband on themselves, in their home or vehicle, including prohibited or illegal weapons, controlled substances, or illegal drugs.

III. PRE-RELEASE PLAN INVESTIGATIONS

When an inmate approved for parole or mandatory supervision is confirmed as a gang member during the pre-release investigation, the applicable district parole office (DPO) is alerted by the indicator “STG: Y” on the Parole Plan Update (PPU) screen and in the Comments section in the mainframe system.

- A. Further investigation shall be managed by a gang-trained parole officer (PO) at the applicable DPO.
- B. Each DPO shall have a gang-trained PO and designee who are knowledgeable about gangs and the special processes required for gang members. The gang-trained PO shall:
 - 1. Conduct any pre-release investigation on a confirmed gang member;
 - 2. Consider whether the proposed placement will place the client at risk for continued gang activity, as well as consider other criteria for approving the proposed release plan;
 - 3. Prior to release, meet with the assigned PO and unit supervisor to share pertinent information about the client and the gang the client has been involved with; and
 - 4. After approving the residence plan, immediately contact the local law enforcement agency’s gang intelligence unit to provide pertinent information about the client.

NOTE: A client’s residence plan is confidential until their release.

IV. POST-RELEASE SUPERVISION

- A. The PO shall amend the O.08 special condition in the OIMS by selecting the appropriate components, including the requirement for added language necessary to identify the STG, criminal street gang, or individuals that contact or attempted contact with is specifically prohibited.
- B. The PO shall provide the client a copy of the amended special conditions according to PD/POP-3.2.7, *Imposition, Withdrawal and Modification of Special Conditions through the Offender Information Management System (OIMS)*.

NOTE: This process only clarifies the standard special condition; preparing a transmittal to request formal approval from the Texas Board of Pardons and Paroles (BPP) is not necessary.

- C. At a client's initial visit to the DPO, the PO shall take two sets of photographs of the client's face and tattoos.
1. To take photos of their tattoos, the PO may ask the client to remove secondary outer clothing, such as a coat or sweater worn over a shirt or blouse, as well as shoes and head coverings. The PO may ask a client to pull up their shirt sleeves and pants legs to expose tattoos. However, the PO shall not ask a client to remove any primary outer clothing.
 2. New photos of a client's face and tattoos shall be taken every six months while the client is under supervision.
 3. The PO shall email the digital photos to their PS or designee to upload to the client's OnBase record.
 4. Additional copies of the photos shall be provided on request to the local law enforcement agency's gang intelligence unit.
 5. The OIMS-Gangs section shall be updated with the date the photos were taken.
- D. The PO shall notify the local law enforcement agency's gang intelligence unit if the PO has information that a client may be involved in gang-related activity if the client:
1. Admits to being in a gang;
 2. Gets a tattoo indicating gang membership or suspected membership;
 3. Is seen wearing clothes or symbols associated with a gang; or
 4. Displays other signs of gang affiliation.
- E. The PO shall document all gang-related or suspected gang-related activity as well as all communication with the local law enforcement agency's gang intelligence unit in the OIMS Contact section and process any violation according to Section V of this policy.
- NOTE:** To avoid jeopardizing ongoing gang intelligence investigations, any detailed information received from law enforcement shall remain confidential, shall be documented in the OIMS using only the appropriate law enforcement department or gang task force name, and shall not identify any specific law enforcement officers.
- F. If a client is released to supervision and does not have Special Condition "O.08 – No Gang Activity" imposed, but they are suspected to be involved in gang-related activity as listed in Section IV.D. 1–4, the PO shall:

1. Use the results of the law enforcement agency's gang intelligence unit investigation as documentation that confirms suspected activity; and
 2. Submit an OIMS transmittal to the BPP to impose Special Condition "O.08 – No Gang Activity" and specify in the request that the client's suspected gang-related activity is based on and includes compelling information from a law enforcement agency's gang intelligence unit investigation.
- G. A client transfer request, either within Texas or to another state, must identify the client's confirmed gang affiliation. In addition to routine transfer procedures, the transferring PO shall forward a copy of the transfer request to a gang-trained PO in the receiving office.
- H. A gang-trained PO shall investigate a "To Texas" Interstate Compact client transfer request if the client is a potential gang member. If a "To Texas" client is suspected to be involved in gang-related activity after being placed under supervision and does not have Special Condition "O.08 – No Gang Activity" imposed, the supervising PO shall follow the procedures listed in section IV.F to request the BPP to impose Special Condition O.08.

V. VIOLATIONS OF RELEASE

- A. Administrative violations or new law violations shall be processed according to PD/POP 4.1.1, *Processing Violations of the Rules and Conditions of Release*.
- B. If a client is returned to the TDCJ-Correctional Institutions Division (CID) based on gang-related violations of supervision, the PO shall email the details of the violation to the District Reentry Center (DRC) PO IV, Specialized Programs. As the liaison between the PD and CID, the PO IV shall relay this information to CID-STGMO personnel for continued documentation of the client's gang-related activity during supervision.

VI. TRAINING

- A. All POs, supervisors, and administrative staff who have direct contact with clients shall attend annual gang awareness training coordinated by the region director (RD) or designee with a local law enforcement agency's gang intelligence unit. Other staff are encouraged to attend annual local gang awareness training as well. The training shall include:
1. Identifying the TDCJ's STGs and their associated tattoos;
 2. Identifying local street gangs and their associated tattoos; and
 3. Identifying prevalent Texas gang-related tattoos, clothing, colors, and symbols.
- B. A designated gang-trained PO shall complete annual continuing education, including at least 12 hours of specialized training. The continuing education may be obtained through local, county, state, and federal gang task force meetings and trainings as well as training conducted by the TDCJ-CID and Parole Division. The RD shall ensure that each designated gang-trained PO attends and receives the required amount of continuing

education and report the training quarterly to the DRC PO IV, Specialized Programs or designee.

- C. A designated gang-trained PO shall meet regularly with their local law enforcement agency's gang intelligence unit to facilitate and maintain communication, to enhance mutual awareness of gang intelligence trends, and to exchange information concerning gang-related incidents, suspected gang membership, and ongoing gang intelligence investigations.

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