

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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PAGE: 1 of 6

SUPERSEDES: 09/01/09

SUBJECT: SPECIAL PROCEDURES FOR THE DISTRICT PAROLE OFFICER AND OFFICE CONCERNING GANG MEMBERS

AUTHORITY: TEXAS GOVERNMENT CODE § 508.1141; § 508.227

PURPOSE: To outline procedures that will assist the Parole Division in identifying and responding to offenders who are confirmed or suspected members of gangs, hate groups, or other Security Threat Groups.

DEFINITIONS:

Security Threat Group (STG): Any group of offenders that the Texas Department of Criminal Justice (TDCJ)-Security Threat Group Management Office (STGMO) determines to pose a threat to the physical safety of offenders, staff, or the public, due to the organization and activities of said 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 will be made to this list as provided by the STGMO.)

Criminal Street Gang: An ongoing association or group of three (3) 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 and/or law enforcement gang intelligence investigations.

“Hometown Cliques” or “Tangos”: “Tango” is a slang term for “hometown.” It is defined as a group of offenders from the same city, county, or neighborhood who have banded together within the institutional setting for safety reasons but does not contain the hierarchy or organization of the STGs.

PROCEDURE:

- I. When offenders under parole supervision are identified as confirmed gang members, staff shall take steps to ensure increased surveillance of the offender in accordance with this policy, regardless of the date of the offender’s offense or the date of parole or mandatory release.

- II. The release certificate for an offender with Special Condition “O.08 – No gang activity” shall require:
- A. No affiliation with any gang and no participation in any gang activity;
 - B. No contact or attempted contact with any other gang or gang member. Should there be any inadvertent contact with said individual/gang or any other gang member(s), the offender shall immediately leave and not threaten, assault, or verbally abuse them;
 - C. No gang-affiliated confrontation, communications, gestures, clothing, and exhibition of colors; and
 - D. No possession of contraband in home, vehicle, or on the offender’s person, including, but not limited to, prohibited or illegal weapons, controlled substances, or illegal drugs.

III. Pre-Release

- A. During the pre-release investigation, the applicable District Parole Office (DPO) shall be alerted that the investigation needs to be handled by a gang-trained officer by an indicator on the Parole Plan Update (PPU) screen “STG: Y” and within the Comments section that the offender is a confirmed gang member.
- B. Each DPO shall have a gang-trained officer and designee who are knowledgeable about gangs and the special processes required for gang members. The gang-trained officers shall:
 - 1. Conduct all pre-release investigations for confirmed gang members;
 - 2. Consider whether the proposed placement will place the offender in an environment conducive to continued gang activity, in addition to considering other criteria for acceptance of the proposed release plan;
 - 3. Prior to release, meet with the designated supervising parole officer and unit supervisor to share pertinent information on the offender and the gang with which the offender is involved; and
 - 4. Upon approval of the residence plan, immediately establish contact with local gang intelligence law enforcement authorities, either by email, phone, or in person, providing pertinent information on the offender, being cognizant that the release plan is confidential until release.

IV. Post-Release

- A. The supervising parole officer shall modify the special condition by reviewing the component and adding the appropriate language if the condition of release that prohibits criminal association has not been expanded to specifically prohibit gang-related association.

The supervising parole officer shall present the offender with a printed copy of the amended wording for signature, in accordance with procedures for imposing new special conditions. Because this process merely clarifies the standard special condition on association with the wording approved by the Texas Board of Pardons and Paroles (BPP), it is not necessary to prepare a transmittal to request formal approval.

- B. After an offender with special condition “O.08 – No Gang Activity” is released to supervision, the supervising parole officer shall impose intake/assessment and monitoring requirements. Unless offenders are assigned to a Super-Intensive Supervision Program (SISP) caseload or specialized caseload, they shall be given maximum supervision status.
1. If the offender has had no incidents of or suspicion of gang-related activity/association for a period of twelve (12) months, the supervising parole officer shall staff the case with their immediate supervisor in order to supervise at the level determined on the reassessment without override.
 2. Once placed on regular supervision, any gang-related or suspicion of gang-related activity will be documented on the Offender Information Management System (OIMS) by the supervising parole officer, and the violation will be pursued in accordance with Section V of this policy.
- C. Upon the offender’s initial visit to the DPO, a parole officer shall obtain two (2) sets of photographs of the offender’s face and tattoos.
1. In order to facilitate the photographing of tattoos, the offender may be asked to remove secondary outer clothing worn over the primary outer clothing (e.g., coat, sweater worn over a shirt or blouse, shoes, or head coverings) and to pull back primary outer clothing on the legs and arms. However, offenders shall not be directed to remove primary outer clothing.
 2. New photographs of the releasee’s face and tattoos shall be obtained every six (6) months while the offender is under supervision.
 3. The parole officer shall email the digital photographs to his respective parole supervisor and/or designee for imaging into the offender’s OIMS record.
 4. The supervising parole officer shall provide the additional set of photographs to the local gang task force for intelligence purposes.
 5. The OIMS-Gangs section shall be updated by adding the offender photograph date.

D. The parole officer shall follow section IV.B.2. above and notify local gang intelligence law enforcement authorities of suspected gang activity if the parole officer has information that an offender is involved in a gang related activity based on the following:

1. Admits to gang membership;
2. Obtains a tattoo indicating gang membership or suspected membership;
3. Is observed wearing clothing and/or symbols associated with a gang; or
4. Displays other signs of gang affiliation.

E. The parole officer shall enter all contacts with gang intelligence law enforcement authorities in the OIMS Contacts on a confidential basis.

NOTE: To avoid jeopardizing continued gang intelligence investigations, the detailed information received by law enforcement shall be documented in the OIMS using only the appropriate law enforcement department and/or gang task force name, and will not identify specific law enforcement officers.

F. When an offender is released to supervision and does not have Special Condition “O.08 – No Gang Activity” imposed and is suspected to be involved in gang-related activity (as listed above in Section IV.D. 1–4), the parole officer shall:

1. Utilize the results of the law enforcement gang intelligence investigation as documentation confirming the suspected activity; and
2. Submit a request to the BPP, via the OIMS, to add special condition “O.08 – No Gang Activity”. Specify in the request the suspected gang-related activity of the offender is based upon a law enforcement gang intelligence investigation and include the results of that investigation.

G. In the event the offender meets the following criteria and has not previously been referred to SISP, a SISP referral shall be completed in accordance with PD/POP-3.15.1, *Super-Intensive Supervision Program (SISP) – Administrative Guidelines*, and if imposed, shall be monitored by active or passive Global Positioning System (GPS) equipment and supervised by an SISP officer:

1. Released on or after 09/01/2009;
2. Is identified as a member of a criminal street gang in the TX Gang database that is maintained by the Texas Department of Public Safety (DPS); and
3. Has three (3) or more felony convictions (at least one must have an offense date on or after 09/01/2009).

- H. All transfer requests, either within Texas or to another state, must identify the offender's confirmed gang affiliation. In addition to routine transfer procedures, the transferring officer shall forward a copy of the transfer request to the gang-trained officer in the receiving office.
- I. All "To Texas" Interstate Compact Transfer Request Investigations that involve a possible gang member shall be conducted by a gang-trained officer. If a "To Texas" case is suspected to be involved in gang-related activity after placed under supervision and does not have Special Condition "O.08 – No Gang Activity" imposed, the supervising parole officer shall follow the same procedures listed above in section IV.F. of this policy for requesting imposition.

V. Violations of Release

- A. Administrative violations or new law violations shall be processed in accordance with PD/POP-4.1.1, *Processing Violations of the Rules and Conditions of Release*.
- B. If the offender is returned to TDCJ-Correctional Institutions Division (CID) based on gang-related violations of supervision, details of the violation will be sent via Lotus Notes by the parole officer to the District Reentry Center (DRC) Program Supervisor III, Specialized Programs. As the liaison between the Parole Division and CID, the Program Supervisor III will relay this information to CID-STG personnel for continued documentation of the offender's gang-related activity during supervision.

VI. Training

- A. All officers, supervisors and clerical staff who have direct contact with offenders, shall attend, on an annual basis, gang awareness training with law enforcement authorities as coordinated by the Region Director or designee, with gang intelligence law enforcement authorities. Staff is encouraged to attend local gang awareness training. Gang awareness training shall include, but is not limited to:
 - 1. Identification of TDCJ's STGs and associated tattoos;
 - 2. Identification of local street gangs and associated tattoos; and
 - 3. Identification of basic gang-related tattoos, clothing, and symbols.
- B. Designated gang-trained officers shall obtain additional training as required, to include at least twelve (12) hours of specialized training annually, which can be obtained through local, county, state, and federal gang task force meetings/trainings and trainings conducted by TDCJ-CID and parole divisions. The Region Director shall ensure each designated gang officer attends/receives the required amount of annual training. The Region Director shall report the training on a quarterly basis to the DRC Program Supervisor III, Specialized Programs, or designee.

- C. Designated gang-trained officers shall meet regularly with gang intelligence law enforcement authorities to facilitate and maintain communication, 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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