

## **Criminal Street Gangs**

### **442.1 PURPOSE AND SCOPE**

It is the policy of this department to establish a procedure for identifying criminal street gangs, participants of criminal street gangs and patterns of criminal activity (ARS § 13-2321).

The intent of this policy is to provide for the collection and management of criminal street gang information to enhance officer safety and the criminal prosecution of criminal street gang participants. This policy is not intended or designed to establish a formal gang intelligence database.

### **442.2 DEFINITIONS**

Definitions related to this policy include:

**Criminal Street Gang** - An ongoing formal or informal association of persons in which members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and that has at least one individual who is a criminal street gang member (ARS § 13-105(8)).

**Gang Activity** - The commission, attempted commission, facilitation or solicitation of any crime in furtherance or promotion of the street gang.

**Gang Member** - An individual to whom at least two of the following criteria indicating gang membership apply (ARS § 13-105(9)):

- Self-proclamation.
- Gang paraphernalia or gang photographs.
- Gang related tattoos.
- Gang related clothing or colors.
- Written or electronic correspondence.
- Witness testimony or official statement.
- Any other indicia of gang membership.

### **442.3 IDENTIFICATION OF CRIMINAL STREET GANGS / PARTICIPANTS**

The designated crime analyst shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

- A group of three or more individuals shall be designated a criminal street gang when:
  - They have a common name or common identifying sign or symbol.
  - There is evidence, substantiated by crime and informational reports, that a primary activity of the group is the commission of one or more criminal acts.
  - One or more members individually or collectively have engaged in a pattern of criminal gang activity.

# Peoria Police Department

## Policy Manual

### *Criminal Street Gangs*

---

- An individual shall be designated as a participant in a criminal street gang and included in a gang file in accordance with the rules and criteria established by the governing body for such gang intelligence files.

#### **442.4 CRIMINAL GANG INTELLIGENCE DATABASES**

While this policy does not establish a criminal gang intelligence database, the Chief of Police may approve one or more criminal gang intelligence databases for use by authorized members of the department. Any such database must be compliant with 28 CFR. § 23.20 regulating criminal intelligence systems. Employees must obtain the requisite training before accessing any such database.

It is the responsibility of the Records Supervisor to retain reports and FIs in compliance with the procedures of the Department-approved RMS FI system.

Validation and purging of criminal intelligence databases is the responsibility of the designated crime analyst.

#### **442.5 FIELD CONTACTS**

Officers who contact individuals who are, or may be participants in criminal street gang activity, should complete a Gang Member Identification Card (GMIC) and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant (e.g., subject states he/she is a member of XYZ gang, XYZ tattoo on right hand near thumb, wearing ball cap with gang name printed in blue or red ink).

Photographing known or suspected criminal street gang participants shall be done in accordance with the provisions of the Detentions and Photographing Detainees Policy (Policy 440).

#### **442.6 DISSEMINATIONS OF THE FILE INFORMATION**

The release of information from any Department-approved gang or other criminal intelligence file must comply with the rules established for that particular temporary file or database.

#### **442.7 REPORTING CRITERIA AND ROUTING**

Incidents that appear to be criminal gang related shall be documented on a report form and shall at minimum include:

- A description of any document, statements, actions, dress or other information that would tend to support the officer's belief that the incident may be related to the activities of a criminal gang.
- Whether any photographs were taken and a brief description of what they depict.
- What physical evidence, if any, was observed, collected or booked.
- A specific request that a copy of the report be routed to the designated crime analyst.

Any photographs taken or evidence collected shall be booked in accordance with current evidence booking procedures.