

Criminal Street Gangs

601.1 PURPOSE AND SCOPE

This policy establishes a procedure for identifying criminal street gangs, participants of criminal street gangs, and patterns of criminal activity.

The Department recognizes that criminal gangs, by their very nature, pose a grave threat to the safety of police and citizens who encounter them.

The Department may gather and organize information about participants in criminal gang activity in order to effectively address the law enforcement problem which criminal gangs present.

The Department also recognizes that it is not a crime to be associated with a gang. Therefore, the designation of a person as a criminal gang associate or member does not give any police officer the authority to take action against that individual which could not be lawfully taken against a person not designated as a gang associate or member.

601.2 DEFINITIONS

Criminal Street Gang: Shall mean any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage or have engaged in a pattern of criminal activity.

Criminal Street Gang Associate or Member: Shall mean any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

Criminal Street Gang Affiliate: An individual who does not meet the criteria for a street gang member but is known to have a close connection with active gang members, and law enforcement personnel have established a reasonable suspicion that the individual is involved in criminal activity or enterprise, or promotes the criminal activity of a gang.

Gang Related Crime: Shall mean any crime, which is committed for the benefit of, at the direction of, or in association with, a criminal street gang with the intent to promote, further or assist any criminal street gang

601.3 IDENTIFICATION OF CRIMINAL STREET GANGS/PARTICIPANTS

Vancouver Police personnel 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. A group of three or more individuals shall be designated a criminal street gang when:

1. Any formal or informal ongoing organization, association, or grouping exists.
2. They have a common name or common identifying sign or symbol.
3. 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.
4. One or more members individually or collectively have engaged in a pattern of criminal gang activity.

b. An individual can be designated as an associate or member of a criminal street gang and included in a gang file when there is sufficient evidence of gang affiliation. To establish sufficient evidence, one indicator from list "A" or two indicators from list "B" must be present:

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List A:

1. The person admits or asserts membership in a criminal street gang to law enforcement.
2. The person participates in a criminal gang initiation ritual or ceremony.
3. The person conspires to commit, or commits a crime:
 - (a) Which is part of a pattern of street crimes facilitated by the efforts of other gang members or associates which advance the interests of the person; OR
 - (b) To attract the attention of the criminal gang or enhance the standing of the person with the criminal gang; OR.
 - (c) For the benefit of the gang; OR
 - (d) To announce the existence of the gang, its membership or its territorial claims; OR
 - (e) In response to the race, color religion, sexual preference, national origin, or gang association of the victim.

List B:

1. The person displays knowledge of the gang's history, leadership, activities or rituals in a context which clearly indicates affiliation with the gang.
2. The person announces to the police that the person is willing to commit assaults, other crimes, or make other sacrifices for the gang.
3. The person wears clothes or jewelry unique to a gang in a context which clearly indicates membership in the gang.
4. The person uses a hand sign or language which, due to content or context, clearly indicates affiliation with the gang.
5. The person's name appears on a criminal street gang document.
6. The person is in a photograph with other people who collectively display criminal gang signs or apparel to exhibit solidarity.
7. A Confidential Reliable Informant ("CRI") identifies the person as a member of a gang.
8. The person possesses a gang tattoo.

601.4 CRIMINAL STREET GANG DATABASE

VPD will use WSIN, or other state approved gang database, to maintain Department gang information. Members of the Department shall not use the current report writing program as a gang database and shall not use the information contained in the police writing program as such.

The Department will use the following guidelines for entering gang information into WSIN or another state approved gang database:

1. Suspicious incidents, information reports and criminal incidents that appear to be criminal street gang related will be documented in a police report.
 - (a) The reporting officer shall describe why the incident may be criminal street gang related and document statements and information supporting the belief that involvement of a criminal street gang has occurred.

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(b) The officer shall specifically indicate that a copy of the report be routed to the gang unit supervisor or other person designated by the Office of the Chief for review.

2. The gang unit supervisor or other person designated by the Office of the Chief, will review all submitted reports and determine whether the facts of the report meet the criteria set forth in this policy for designation as a street gang or street gang associate/member.

If the necessary criteria are met, the gang unit supervisor or other person designated by the Office, of the Chief should forward the information for entry into WSIN, or another state approved gang database, on a case by case basis.

The gang database may include:

- (a) Names, aliases, monikers, addresses, and other relevant identifying information.
- (b) Gang name.
- (c) Justification used to identify an individual as a criminal street gang participant.
- (d) Vehicle(s) known to be used.
- (e) Cross references to other identified gangs, gang members, or gang associates.

601.5 FIELD CONTACTS

1. Field Interviews: Officers who contact individuals who are, or may be participants in criminal street gang activity should complete a police report 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.

2. Photographing known or suspected criminal street gang participants shall be done in accordance with the provisions of Policy Manual § 440 (Photographing of Field Detainees).

601.6 DISSEMINATION OF GANG DATABASE INFORMATION

Information from WSIN, or another state approved gang database, may be furnished to Department personnel and other public law enforcement agencies on a need-to-know basis only and dependent on the individual databases rules of release.