



Successful Youth • Strong Leaders • Safer Communities

POLICY

SUBJECT: Gang Identification and Prevention

NUMBER: RF-721-17

APPLICABLE TO: Residential Facility Employees

APPROVED: _____ /s/ signature on original

Sam Abed, Secretary

DATE: _____ 12/18/17

I. POLICY

Department of Juvenile Services (DJS or Department) residential facilities shall ensure the safety and security of youth, employees and visitors by identifying and reducing possible gang activity. The Department has a zero tolerance position regarding gang membership and/or behavior from employees and youth under DJS supervision. DJS employees who provide direct services to youth shall receive annual training on Gang Awareness in Maryland.

II. AUTHORITY

A. Md. Code Ann., Human Services, §9-203 and §9-204.

B. MD. Code Ann., Criminal Law Article §9-801 et seq.

III. DIRECTIVES/POLICIES RESCINDED

A. Gang Awareness, Prevention, Intervention and Suppression/Denouncement, RF-07-06

IV. FAILURE TO COMPLY

Failure to comply with the Department's policy and procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
Revised procedures issued: <ul style="list-style-type: none"> • Revised definition – Facility Review Committee replaces Interdisciplinary Treatment Team • Prohibit accepting volunteers with possible gang membership or who exhibit gang related behavior • Deleted references to the obsolete staff positions and duties for Statewide Gang Intervention Specialist and Facility Gang Liaison • Created new section for duties of the Director of Gang Intelligence Unit • Removed references to body art • Removed references to youth wearing gang-type clothing • Removed obsolete reporting forms • Added new section for duties for Superintendents • Added new section for programming for gang behavior • Added requirement for local procedures to be developed • The Professional Training and Education Unit (PTEU) shall provide 6.5 hours of initial training to newly-hired mandated staff at entry-level training and 4 hours of annual refresher training to mandated staff 	December 18, 2017

PROCEDURES

SUBJECT: Gang Identification and Prevention
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APPLICABLE TO: Residential Facility Employees

APPROVED: _____ /s/ signature on original _____
Linda McWilliams, Deputy Secretary
DATE: _____ 12/12/17 _____

I. PURPOSE

To promote an anti-gang environment within DJS facilities, identify gang-related behavior or activity, and prohibit the gang-related behavior of youth, visitors, contractors, volunteers, and employees.

II. DEFINITIONS

Gang means a group or association of three or more persons whose members:

- individually or collectively engage in a pattern of criminal activity;
- have as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and
- have in common an overt or covert organizational or command structure.

Facility Review Committee (FRC) means the collective group of employees who jointly review and approve decisions from the facility treatment team. The FRC consists of the Assistant Superintendent for Programs or Case Management Specialist Supervisor, Group Life Manager II or designee, Behavioral Health Supervisor, and MSDE Principal. The FRC provides the highest level of review at each facility.

III. PROCEDURES

A. General Procedures.

1. Employees shall promote an anti-gang environment, which does not tolerate gang related activities, such as names, symbols, graffiti, and/or hand signs.

2. Employees shall take a zero tolerance position towards possible gang membership and gang related behavior in youth, visitors, volunteers, contractors and employees.
3. Employees shall notify the Superintendent or designee after observing any gang-related activity of a youth.
4. Each facility shall post signs in all common areas of the facility, which clearly display rules and consequences about possible gang behavior.
5. All facility employees shall monitor magazines, books, videos, and movies to ensure that youth are not reading and/or viewing gang related activities.
6. When there is an incident involving possible gang related behavior or activities, the employee witnessing the incident shall:
 - a. Complete an incident report according to the *Incident Reporting Policy –DJS Programs* prior to the end of his/her shift/workday;
 - b. Log the incident in the unit and Master Control log books; and
 - c. Notify the Superintendent.
7. Youth knowingly engaging in the following behaviors shall be subject to a facility rule violation with appropriate sanctions. Employees knowingly engaging in the following acts may be subject to disciplinary action. The following behavior is not considered acceptable by the Department:
 - a. Display of gang affiliation;
 - b. Gang-related magazines, videos, movies, etc.;
 - c. Gang symbolism (signing, drawings, dress, colors, graffiti, letters, tattooing or markings on books, papers, clothes, walls or any other place);
 - d. Gang challenges, threats, territoriality stance, pinning of eyes or stare downs;
 - e. Group discussion related to gangs unless approved by the Superintendent;
 - f. Gang identification or demonstration;
 - g. Gang recruitment;
 - h. Overt or covert gang related behavior; and
 - i. Talking about gang war stories.
8. The DJS Professional Training and Education Unit shall provide 6.5 hours of initial training to newly-hired mandated staff at entry-level training and 4 hours of annual refresher training to mandated staff.

B. Criteria for Identifying a Possible Gang Member.

1. The following identifiers may be used to determine if a youth is a possible gang member:
 - a. Gang related tattoos;

- b. Intelligence from reliable sources indicating that a youth is a possible gang member;
 - c. Youth exhibits gang behavior or symbolism;
 - d. Youth writes gang related graffiti on personal items or defaces state property with gang related graffiti;
 - e. Youth arranges his/her clothing in a certain arrangement or color;
 - f. Youth displays hand signals or identifiable non-verbal communications;
 - g. Youth claims a specific territory; and
 - h. Youth has regular or continuous association with other identified members.
2. A youth is presumed to be a gang member when a law enforcement report confirms gang involvement or when the youth meets two or more of the following criteria:
- a. Admits to gang membership;
 - b. Information provided from a reliable source the youth is a possible gang member;
 - c. Youth has gang tattoos;
 - d. Youth's parent or guardian reports that the youth is involved in a gang;
 - e. Youth refuses to wear any one color;
 - f. Gang graffiti found, in their room, on the person, or in their writings;
 - g. Youth resides or frequents a known gang area, and adopts characteristics of known gang members;
 - h. Youth continually exhibits gang behavior including recruitment, while in the facility; and
 - i. Youth alters clothing while in the facility to show gang affiliation.

C. Duties and Responsibilities

- 1. Admissions Officer.** The Admissions Officer shall:
- a. Screen all youth for possible gang activity, including a review of information forwarded with youth at time of admission;
 - b. Review ASSIST to ascertain if the youth has a Gang Member Possible Alert;
 - c. If the youth has a Gang Member Possible Alert, note the alert in the unit logbook;
 - d. Note any visible observations of gang tattoos, clothing or symbols; and
 - e. Ask the youth at the time of screening to respond to the questions on the **Possible Gang Member Questionnaire (Appendix 1)** and forward the questionnaire to the Superintendent or designee.

2. **Health Care Professional.** The Facility Nurse shall:
 - a. Complete an Admission Health Screening and Nursing Assessment on each youth within 72 hours of admission; and
 - b. Upon completion of the assessment, notify the Superintendent or designee by phone or email if any unusual or gang related tattoos or markings on a youth's body are identified; within 72 hours of completing the Nursing Assessment, email a copy of the completed Nursing Assessment or pictures identifying the tattoos to the Director of Gang Intelligence Unit.

3. **Superintendent.** The Superintendent shall, upon receipt of any information that the youth may be a possible gang member,
 - a. Notify the Director of the Gang Intelligence Unit who will confirm or deny the youth's possible gang membership; and
 - b. The Superintendent or designee shall notify the DJS Transportation Administrator of a youth with possible gang affiliation prior to the youth being transported by the DJS Transportation Unit by completing a DJS Transfer Request Alert.

4. **Director of Gang Intelligence Unit.** The Director shall:
 - a. Refer any information about a youth's possible gang-related activity or gang membership to the Gang Investigators for investigation; and
 - b. Enter a Gang Member Possible Alert into ASSIST once the youth's gang related activity or gang membership is confirmed.

5. **Facility Case Management Specialist (FCMS).** The Facility Case Management Specialist shall:
 - a. Notify the Community Case Management Specialist no later than three (3) business days when new information is learned regarding a youth's possible gang membership status;
 - b. Report the youth's possible gang membership status to the facility Treatment Team and ensure the facility Treatment Team refers the youth to the Facility Review Committee;
 - c. Notify the receiving FCMS and Superintendent or designee whenever a youth transfers to another facility that the youth is a possible gang member or has been identified as a gang member;
 - d. Place an alert on ASSIST when a youth is determined to be a possible gang member using the **DJS Criteria for Gang Membership Identification Alert Entry (Appendix 2)**; and
 - e. When a youth is transferred between DJS residential facilities, the sending facility shall forward the Possible Gang Member Questionnaire to the receiving facility and place a copy of the questionnaire in the youth's base file prior to transfer to the receiving facility.

6. Community Case Management Specialist (CCMS)

When a youth is released from a facility, the CCMS shall ensure that youth placed on Intensive Supervision in accordance with the *DJS Case Management Policy and Manual*.

7. Gang Investigators. The Gang Investigators shall:

- a. Maintain a data base that will identify, monitor and report statistical data on possible gang activities;
- b. Notify the Superintendent or designee of any gang-related activities or behaviors in the facility;
- c. Investigate, review and report any incident of gang-related activity or behavior of youth and/or employees in the community or facility within thirty days of notification;
- d. Report any incident of gang activity that occurs within a facility to the Director of Gang Intelligence within thirty days of notification;
- e. Interview employees and youth regarding the youth's possible gang membership and the legal status of the youth;
- f. Receive information from the Superintendent or designee and input in the Gang database;
- g. Conduct training for DJS employees and the Superintendent or designee;
- h. Maintain ongoing communication with local and state law enforcement regarding up-to-date gang intelligence;
- i. Maintain current information related to gang activities in Maryland;
- j. Provide updates to Executive Staff, Superintendents, and Regional Directors regarding gang-related activities in Maryland; and
- k. Represent DJS with other agencies and activities as the Gang Investigator.

D. Prevention of Gang Behavior

1. Behavioral Health, Residential Staff, and Gang Investigators shall identify youth who are actively engaged in gang behavior or recruitment within a residential facility and/or are presenting behavior management problems in the facility.
2. Staff shall identify youth presenting gang behavior, limit the power and influence of those youth over other youth in the facility, and reinforce non-participation in gang behavior.
3. The Department shall engage private programs to provide training for youth and staff on the awareness, prevention, intervention, suppression and denouncement of gang activity and behavior.

E. Consequences for Gang Related Behaviors in Residential Facilities.

1. Youth Involvement.

- a. Staff shall report youth who directly participate in any gang-related documented incident according to the *Incident Reporting Policy – DJS Programs*.
- b. The facility Interdisciplinary Treatment Team shall refer all youth who have been identified as possible gang members or who have participated in possible gang-related activity to the Facility Review Committee.
- c. The Facility Review Committee shall review all youth referred for participation in possible gang-related activities or gang membership and authorize recommendations for intervention, which may include:
 - 1) Approval of a detailed court report on the youth's participation and/or involvement in gang activities while at the facility; and
 - 2) Modifications of the youth's behavior management contract and/or Treatment Service Plan (TSP).

2. Employee Involvement.

- a. Employees who do not comply with this policy and procedure, or who aid or abet gang activities will be subject to disciplinary action up to and including termination of employment.
- b. Employees found to be recruiting possible gang members will be subject to disciplinary action and prosecution.
- c. Employees found to be promoting gang activity, wearing gang colors, giving gang hand signs, and/or acknowledging their gang involvement shall be subject to disciplinary action up to and including termination and may be subject to prosecution.
- d. Employees found to be encouraging, favoring or allowing gang activity among youth shall be subject to disciplinary action up to and including termination and may be subject to prosecution.

IV. RESPONSIBILITY

Superintendents and Regional Directors are responsible for implementation and compliance with this procedure.

V. INTERPRETATION

The Deputy Secretary of Operations shall be responsible for interpreting and granting any exceptions to this procedure.

VI. LOCAL OPERATING PROCEDURES REQUIRED

No

VII. DIRECTIVES/POLICIES REFERENCED
Incident Reporting Policy – DJS Programs

V. APPENDICES

1. Possible Gang Member Questionnaire
2. DJS Criteria for Gang Membership Identification Alert Entry



DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review and Understanding

SUBJECT: Gang Identification and Prevention
NUMBER: RF-721-17
APPLICABLE TO: Residential Facility Employees

I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINT FULL NAME

DATE

WORK LOCATION

SEND THE ORIGINAL, SIGNED COPY TO THE DIRECTOR OF THE DJS OFFICE OF HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL FILE.

Department of Juvenile Services

POSSIBLE GANG MEMBER QUESTIONNAIRE

Youth's Name _____

Youth's date of birth _____

Name of facility: _____

1. Are you affiliated with a gang?
2. Do you know any gang members?

If youth is in a residential facility ask the question - Do you know any gang members here at the facility?

3. Do you have any rival gang members here at this facility?

If youth is in a residential facility ask the question - Do you know any rival gang members here at the facility?

4. Do you have any tattoos or other marks?
5. When did you join this gang? At what age?

CONFIDENTIAL AND PRIVILEGED INFORMATION

DJS Criteria for Gang Membership Identification Alert Entry

It should be noted that this information is **CONFIDENTIAL** and employees should not share this information with any youth or their family. Under no circumstances do we want to place employees at risk.

The purpose of the criteria listed below is to help identify possible gang members; this provides helpful information for anyone who works with the identified youth. It is important that youth are not misidentified as gang members, we want to identify gang members not place labels on them.

An alert should be placed in ASSIST when a youth has been identified as a possible gang member using the criteria. All information should be placed in the youth's physical description section. This should include the youth's picture and notes of any identifying marks or tattoos.

Workers should also add a detailed description using the above criteria when adding information to Note field on the Alert screen. Due to the critical nature of this information, all entries that do not provide adequate information will result in a follow-up contact and possible deletion.

An alert should be closed if a youth is found to be no longer actively involved in gang activity; an explanation should be included in the note section as to why the alert was closed. If an alert is placed on a youth and later it is found that the youth is not a gang member, that alert should be deleted.

One indicator alone does not signify a gang member; combinations of several indicators illustrate a possible gang member presence and an alert should be placed on that youth.

- Youth admits gang membership**
- Receive information from a reliable source**
- Has gang tattoos**
- Wears gang type clothing**
- Parent reports youth is involved in a gang**
- Youth refuses to wear any one color**
- Police report indicates gang involvement**
- Gang graffiti found, in room, on person or in writings**
- Resides/Frequents a particular area and adopts characteristics of known members**
- Youth continually exhibits gang behavior while in our facility**
- Youth alters clothing while in our facility to show gang affiliation**

This data will help with safety when placing youth in our facilities and when scheduling appointments or visit homes. When statistics are tabulated, we will be better able to determine what types of programs are needed and how they should be implemented.

Questions regarding entry of this Alert type or other issues related to handling possible gang members should be directed to the Director of the Gang Intelligence Unit in the Office of the Inspector General.