

**Instructional Goal:** Prepare all Gang Impact Teams (GIT) members assigned to GED/CLEAR to gather gang-related intelligence and information, identify gang crime patterns, monitor gang activity and implement crime suppression strategies

**Performance Objectives:** Using instructor lecture, discussion, video, guided handout, and case studies, the student will be able to:

- ▲ Describe the Mission and Expectations of the GITs Units
- ▲ Know Consent Decree provisions and related issues
- ▲ Apply officer responsibilities involved in GED/CLEAR, including:
- ▲ Be familiar with the history and inner workings of Southern California gangs

GIT and GED related policies and directives

Legal issues

Work product, reports and documentation

Information sources and case development

Search warrant preparation, planning, execution and follow up

The following classes are suggested to enhance Warrant Service training

- Warrant Service Tactics/Introduction (1850-24251)
- Search/Arrest Warrants (1850-24270)

## **I. GANG IMPACT TEAM (GIT) TRAINING OVERVIEW**

### **A. INTRODUCTION**

1. Instructor(s)
  - a) Name, assignment
  - b) Experience
2. Briefly overview the training schedule
  - a) Gang Impact Team
  - b) Gang Culture in Los Angeles
  - c) Policy, Procedures and Misconceptions
  - d) Information Sources and Case Development/Management
  - e) Surveillance
  - f) Report Writing
  - g) Search Warrants
  - h) Testimony

### **B. OVERVIEW OF GANG AWARENESS**

1. There are less than 400 gang officers in this Department currently
  - a. There are over 50,000 registered gang members in the city of Los Angeles
  - b. It seems like a overwhelming task that you have
  - c. And it seems like we work any harder
2. What we want to accomplish through this as well as other training is to help increase the quality of our work
  - a. Gang crime is down in city and it is because of our hard work
  - b. Today's training will present some very significant information from department experts on several topics
3. It is clear that we, the Gang Enforcement Teams, are not going to get more officers or more equipment
  - a. What we need to do is to work smarter
  - b. We are going to accomplish this with knowledge based training
    - 1) Help us know our gangs better
    - 2) Enable us to testify as gang experts in court

- 3) Enable us to get enhancements, resulting longer imprisonment terms
- 4) We will be able to predict who is likely to commit the next criminal act because our know your gangs
4. Our job today is difficult than it has ever been due to the political environment
  - a. This is why we need to be trained to do our job even better
  - b. This course will help you in court when your list your credentials
  - c. This is training to stimulate thought and is not all inclusive
  - d. Additional training can be arranged later for individual teams

### **C. HISTORY OF THE DEVELOPMENT OF GANG IMPACT TEAMS**

1. In March 2000, Special Enforcement Units (SEU) were established to combine a number of Area specialized uniformed details which addressed crime problems and criminal gang activity
2. In April 2000, the Department published a Gang Enforcement Mission Statement along with enforcement strategies to suppress violent gang crime
3. Recognizing that violent crime is fueled by criminal gang activity and narcotics trafficking, the Department pursued a multi-disciplinary approach to reducing violent crime
4. In February 2004, Gang Impact Teams (GIT) were established in each of the 18 geographic Area commands to provide a collaborative, consistent and coordinated approach to impacting violent gang and narcotic crime &
5. GITs are comprised of the following components:
  - a. Gang Enforcement Detail (GED) (uniformed gang officers previously assigned as Special Enforcement Units
  - b. Narcotics Enforcement Detail (NED)
  - c. Gang Investigation Detail (unless assigned to the Area Detective Section)
  - d. Community Law Enforcement and Recovery (CLEAR) unit, where applicable
  - e. Gang Crime Analysis Detail (G-CAD)
6. Other components may include a Community Impact Advisory Team and liaisons with a number of local, state and federal agencies
7. Ideally, deployment of GIT personnel is to be based upon gang crime trends, intelligence, identified crime problems, real time crime data and forecasting

### **D. GIT MISSION**

1. GITs were established in furtherance of the Department's mission to eliminate violent crime, reduce the fear of crime and improve the quality of life in our communities through the following strategies:
  - a. Intelligence gathering, sharing and dissemination
  - b. Enhanced investigations and prosecutions
  - c. Direct community involvement, input and feedback
  - d. Identification of prevention and intervention resources for at risk youth
2. Goals are to:
  - a. Cultivate a renewed respect from the community through a demonstrated commitment to addressing violent, gang and narcotics related crimes
  - b. Foster positive relationships with community members through daily, officer initiated goodwill "community contacts"
  - c. Reduce the incidence of violent crime, gang and narcotics related crime
  - d. Elevate and emphasize the significance of the GITs within the community and Department, through management and supervisory leadership, emphasis and support
  - e. Engage in regional, collaborative gang and narcotic intelligence collection, sharing and dissemination
  - f. Enhance investigations to ensure successful prosecutions

- g. Provide information to assist the community in coordinating prevention, intervention and training programs for at risk youth
- h. Provide for cross training between personnel to develop gang and narcotic expertise
- i. Maintain Consent Decree compliance

**E. STRATEGIES AND EXPECTATIONS**

1. Special Operations Bureau has developed strategies and expectations to develop and enhance the components necessary to reduce gang violence
2. Community Component
  - a) Command Staff, managers and supervisors to demonstrate support for GITs during roll calls and community meetings
  - b) GIT field personnel will make a daily “public service” or “outreach” contact with at least one community member to espouse the Department’s commitment to addressing violent crime and criminal gang members
  - c) Community input and support will be solicited
  - d) Establish a “Gang Info Hotline Number” to provide a means by which community members can report gang crime and information without fear of reprisal
  - e) Establish liaison with local school principals, school police, Housing Authority police and other faith based organizations
  - f) Coordinate with “Teamwork LA” to facilitate environmental remedies. Identify factors, which promote criminal activity in high crime areas and seek remedy or removal, i.e.: increased street/alley lighting, removal of excess brush, refuse, or abandoned vehicles, which provide cover and concealment to persons or contraband
3. Intelligence Component
  - a. Coordinate intelligence gathering efforts to include analysis of information from following sources:
    - 1) Crime and arrest reports
    - 2) Field contacts
    - 3) GIT field personnel
    - 4) Patrol officers
    - 5) Crime Analysis Details/Units
    - 6) Area and specialized detectives
    - 7) Community members
    - 8) Neighboring areas
  - b. Identification of the most active gangs in each Area
  - c. Identification and investigation of gang leadership
  - d. Increased and timely input of CalGang information and increased usage of the CalGang case management system as an intelligence source to identify active gang members, associates, vehicles and locations frequented
  - e. In collaboration with the Bureau of Alcohol, Tobacco and Firearms (ATF), create a system for tracking and tracing buyers of all guns recovered
  - f. Monitor gang related funerals to gather intelligence
  - g. Gang detectives will be responsible for interviewing selected arrestees for intelligence gathering and dissemination purposes
  - h. Detectives will actively seek to establish sources of information, including informants, as a means of intelligence gathering
  - i. Crime Analysis Details and Units will provide “real time” data on violent crimes and gang-related crimes
4. Enforcement Component
  - a. Increased uniformed deployment to provide high visibility patrol in targeted Areas

- b. In coordination with parole agents, probation officers and the California Youth Authority conduct compliance checks on gang members on active probation or parole
- c. Coordinate the resources of narcotics personnel, Metropolitan Division and uniformed gang officers to establish observation points at known narcotics locations to identify and apprehend buyers, dealers and suppliers
- d. Detective Support Division's Fugitive Warrant Section (FWS) can develop a list of warrant suspects for each of the concerned Areas

5. Prosecution Component

- a. The U.S. Attorney's Office will assist in the investigation of identified gang leaders who exhibit a lifestyle not supported by their reported income level
- b. Detectives will seek gang enhancements pursuant to 186.22 PC for all predicate crimes
- c. Evictions of criminal gang members will be sought by the City Attorney's Office through application of Section 47.50 LAMC

**F. KNOWLEDGE OF CONSENT DECREE PROVISIONS PERTAINING TO GANG UNITS**

- 1. Within Paragraph 106, the CD refers to "Gang Units" and "Special Enforcement Units" that are primarily responsible for monitoring or reducing gang activity. These units are now called Gang Enforcement Details (GED) which are the uniformed officers and supervisors assigned under the umbrella of the Gang Impact Teams
- 2. All personnel assigned to Gang Impact Teams and the Gang Enforcement Details (GED) must be knowledgeable of CD provisions and associated Department procedures which address gang units and their operations
- 3. Continued training of managers, supervisors and officers provides the means to disseminate this knowledge and ensure continued compliance with the CD as well as Department procedures

**G. OVERVIEW OF CD PROVISIONS PERTAINING GED PERSONNEL AND DAILY OPERATIONS**

- 1. Selection and eligibility criteria for GED officers **(106b, 107a)**
  - a. Completed probation
  - b. 3 years as a police officer with the Department, 26 DPs in field, patrol and or traffic
  - c. Demonstrated proficiency in police activities, interpersonal and administrative skills, cultural and community sensitivity
  - d. Demonstrated commitment to integrity
  - e. Positive evaluations and review of appropriate TEAMS report
  - f. Written application (Form 15.88) and
  - g. Must participate in either the advanced pay grade process or a Suitability Interview
    - 1) Police Officer II (PO-2) on a PO-3 eligibility list competing for a PO-3 GED vacancy- Advanced Pay Grade Process
    - 2) PO-2 applying for any PO-2 GED vacancy Suitability Interview
    - 3) PO-3 from outside transferring into a PO-3 GED vacancy -Advanced Pay Grade Process
    - 4) PO-3 selected from within the Area to fill a PO-3 vacancy -Suitability Interview
  - h. Documentation of meeting eligibility criteria within TEAMS Evaluation Report, Form 1.78.04, shall ensure the following information is documented after the interview
    - 1) Name of interviewer;
    - 2) Date of interview; and
    - 3) Summary of discussion detailing suitability for GED assignment
  - i. Documented consideration of sustained complaints, adverse judicial findings. Contact should be made to the Legal Unit, Risk Management Group to determine if any adverse judicial findings exist
- 2. Selection and eligibility criteria for GED supervisors **(106c, 107b)**
  - a. 1 year experience as a patrol supervisor, wheeled from probationary Area of assignment
  - b. Demonstrated outstanding leadership, supervisory and administrative skills

- c. Written application (Form 15.88) and documented oral interview
  - d. Documented consideration of sustained complaints, adverse judicial findings
  - e. Documentation of meeting eligibility criteria within TEAMS Evaluation Report, Form 1.78.04
- 3. Limited tour of duty and requests for extension (106d, 107a, b, c)**
- a. Required to complete Request for Transfer and/or Change in Paygrade, Form 1.40, when personnel are assigned to or transfer out of a GED
  - b. Officers and supervisors are limited to 39 DPs
    - 1) Upon completion of tour must be reassigned from the GED or have an approved extension
    - 2) Once tour is concluded, including any extension period, may not be reassigned to another GED until 13 DPs have elapsed
    - 3) A limited tour assignment is cumulative to include time spent in both SEU and GED
    - 4) Commanding officers and GIT Officers in Charge must anticipate the culmination of limited tours of GED officers and supervisors and initiate either the extension process or transfer out of GED
    - 5) Continued assignment without extension is deemed non compliant with provisions of the CD as well as Department procedures
    - 6) Bureau Gang Coordinators monitor GED assignment and provide a roster to Special Operations Support Division at the start of each DP
  - c. Extension of Assignment
    - 1) Up to 3 DPs with written approval by a bureau C/O
    - 2) Longer extensions shall require written approval from the COP
    - 3) COP will consider extension of up to 26 additional DPs, at 13 DP increments
  - d. Extension Review: Criteria for extension
    - 1) Performed in a competent manner
    - 2) Adhered to the policies and procedures
    - 3) Completed an eligibility review and assessment
    - 4) The extension would be in the best interest of the Department and GED
  - e. Process for extending a GED assignment
    - 1) GIT Officers in Charge desiring to extend the tour of a GED officer or supervisor shall, prior to the end of the employee's tour:
      - a) Conduct another eligibility review and assessment
        - (1) Review of the employee's work history
        - (2) Including their consideration of any sustained complaint, adverse judicial finding, or discipline against the officer
        - (3) Promotion/pay grade advancement TEAMS report
        - (4) Document review in TEAMS Evaluation Report
      - b) Once completed the assessment shall be submitted via the employee's chain of command for consideration and approval
      - c) A copy shall be placed in the employee's interview/selection package pending return of the approved original
      - 2) An eligibility review and assessment shall be conducted for employees after completion of 13 DPs in the extended capacity
- 4. Unit protocols/daily operational requirements (106e)**
- a. Wear uniform (class A or C) unless prior approval obtained to deviate, on a case by case basis

- b. No unauthorized insignias
  - c. Use marked black and white police vehicles for all activities
  - d. Complete Daily Field Activities Report (DFAR) for each work day
  - e. Adhere to existing procedures for uniformed patrol officers re: detention, transportation, processing and booking
  - f. Check out and return all equipment from the Area kit room on a daily basis
  - g. Conduct normal operations using the Area's primary radio frequency
  - h. Attend scheduled patrol roll calls
  - i. Base all unit activities and detention of arrestees at Area stations
  - j. Deviations? Notification, Approval and Documentation
5. GED supervisors to provided daily field presence and to brief the Area watch commander regularly  
**(106f)**

Document in GED Supervisors Daily Report, Form 15.49. This report is used by GED sergeant in lieu of the Supervisors log

6. Reporting to senior management **(106g)**
- a. Ensure that the GIT OIC log and the GED Supervisor Daily Reports are together and transmitted to Area C/O
  - b. Activity reports completed by GIT OIC
  - c. Other vehicles for documentation and reporting to C/Os are in the process of development  
**(106 a, h)**
- 1) Currently arrest summaries are being transmitted to CRID
  - 2) There is a need to develop a standardized productivity recap report that can be utilized by all
  - 3) There is a need to develop standardized measures of effectiveness for inclusion in Area and Bureau work plans
7. **DISTRIBUTE:** Policy and Procedures Resource Guide Book
- a) Advise the officers a unit library of current and up to date resources should be available to be used by the officers and supervisors
  - b) Reinforce the importance of maintaining an ongoing reference and resources
- (1) Individuals responsibility to update and maintain
  - (2) Ensure that subordinates are familiar with the policy and procedures
  - c) Overview how to use the handouts throughout the training day and in the field
8. CLOSING: Reinforce key learning points
- a. The mission and goal of GIT are in furtherance of the Department's mission to eliminate violent crime, reduce fear of crime and improve the quality of life in our communities
  - b. Thorough knowledge of policy and procedures related to GIT ensure effective management of the gang unit
  - c. Accurate reporting and documentation enhances the reputation of the individual and/or the Department

## **II. OVERVIEW OF GANGS**

### **A. HISPANIC GANGS**

- 1. Overview of training goals and objectives
  - a. The scope of the problem
  - b. Why training is important
  - c. Hispanic gang terminology
  - d. Surenos: Southern California gangs

- e. The gangster attitude and the Green Light
- f. The history of southern California Hispanic gangs
- g. The two largest Los Angeles gangs

2. Hispanic gangs (117c)

**a. Scope of the problem**

- 1) **400 plus gangs in Los Angeles**
- 2) **50,000 members**
- 3) **Increase in gangs and membership in past 10 years**
- 4) **68% of homicides are gang related**
- 5) **9,200 officers**
- 6) **400 working gangs**
- 7) **19 geographic divisions**
- 8) **3,200 plus gang related homicides since 1994**
- 9) **Attacks of officers continue**

**b. Why training is important: knowledge and experience**

- 1) **An officer's expertise should be a result of his/her knowledge**
- 2) **Expertise of a specific gang is made up of:**
  - a) **Names, symbols related to tattoos and graffiti**
  - b) **History of the gang**
  - c) **Ethnic/racial makeup**
  - d) **Cliques/subsets**
  - e) **Number of members**
  - f) **Boundaries of turf**
  - g) **Enemies and allies**
  - h) **Behavior tendencies**
  - i) **Individual members**
  - j) **Specific crimes done by gang members, both victim and suspect**

**c. Hispanic gang terminology**

- 1) **"Trece" is "13" in Spanish**
- 2) **It stands for the 13<sup>th</sup> letter in the alphabet which is "M" or "Eme" in Spanish**
- 3) **"M" refers to the Mexican Mafia**
- 4) **"13" is synonymous for "Sur" or "Surenos" which refers to "Southsiders"**
- 5) **Southsiders refers to southern California Latino gangsters**
- 6) **In California the Surenos are controlled by the Mexican Mafia**
- 7) **These numbers/words became significant in the late 1970s and are seen in tattoos and graffiti**
- 8) **Currently they are a tradition in the Hispanic gang culture**

- 9) **Sur, Sureno, 13 and Trece eventually became synonymous with "Eme sympathizer"**
- d. **The dividing line for southern and northern California gangs**
  - 1) **It is around San Luis Obispo**
  - 2) **It roughly follows the boundaries of the four parole regions**
- a) **Region one and two = the north, "Norte" or "14"**
- b) **Region three and four = the south**
- e. **Surenos in custody**
  - 1) **When Surenos are in custody their primary loyalty is to the Sur which is directed and governed by Eme**
  - 2) **Their street gang affiliation is secondary**
  - 3) **In custody their formal rivals are now allies**
  - 4) **Their enemies are all blacks and Norte gang members**
  - 5) **Number one rule while in custody is "No varrio tripping"**
- f. **Surenos on the street**
  - 1) **Their primary loyalty is to their gang**
  - 2) **Conflicts are street level**
  - 3) **Rivals are usually other Sureno gangs**
  - 4) **12, Sur, and Suneno are still used in their graffiti**
  - 5) **The environment and conditions differ from in custody**
- g. **The "Green Light"**
  - 1) **Implemented in the early 1980s by Eme**
  - 2) **Must attend sanctioned meetings**
  - 3) **No drive-by shootings**
  - 4) **Must pay taxes**
  - 5) **Obey all orders while in custody**
  - 6) **If an individual or an entire gang does not comply with the above listed rules they can be put on the Green Light list**
  - 7) **They become the targets of all other gangs**
- h. **The gangster attitude**
  - 1) **Antiauthority**
  - 2) **Anti-police**
  - 3) **Non-cooperative**
  - 4) **Life is cheap**
  - 5) **Be violent**
  - 6) **Be smarter than the cops**
- i. **History of Hispanic gangs**
  - 1) **Migration from Central America/Mexico**

- a) **Immigration issues**
- b) **Standard of living**
- c) **Opportunity**
- d) **Turmoil**
- 2) **Migration out of California to other states**
- a) **Traditional gangs spread**
- b) **Culture, styles, traits, criminal ways**
- c) **Gangs in non-gang areas**
- d) **Greater impact on general public**
- e) **More non-Hispanic victims**
- 3) **Gang influences**
- a) **Clothing**
- b) **Behaviors**
- c) **Attitudes**
- d) **Physical characteristics**
- e) **Language**
- f) **Interests**
- g) **Lifestyle**
- h) **Music**
- i) **Criminal ways**
- 4) **Drug trafficking**
- a) **Now imported through Mexico**
- b) **Hispanics now control**
- c) **Like Crips and Bloods of the 1980s**
- d) **Drug related crime activities**
- e) **Greed sets in**
- f) **Gangsters are heavily involved**
- g) **“Border Brothers”**
- j. **The two largest gangs on Los Angeles**
- 1) **West Side 18<sup>th</sup> Street**
- 2) **Mara Salvatrucha**
- a) **“Mara” is “gang” in Spanish**
- b) **“Salvatrucha” is a derogatory term for “Salvadoran”**
- c) **Estimated to have over 110 “sets” or cliques in at least 32 states**
- k. **Officer safety tips**
- 1) **The more effective you are at obtaining information, the more knowledgeable you become**

- 2) **The knowledgeable you are, the more effective you become at obtaining information**
- 3) **The more knowledge you have, the safer you are**
- 4) **Gangsters last name should be the same as his father's last name**
- 5) **Get photos of suspect**
- 6) **Get photos of their tattoos**
- 7) **Interview suspects separately**
- 8) **Isolate and interview the associates**
- 9) **Let a lie go, if you believe you will see him again later**
- 10) **Control the chatter during the interview**
- 11) **Control their physical position**
- 12) **"Giving them a break"**

**1. Strategies for officers**

- 1) **Develop gang intelligence, don't wait for it to come to you**
- 2) **Know who you have and have an awareness of the person's background**
- 3) **Know you own backyard**
- 4) **Be prepared, don't wait until the worst happens**
- 5) **"Locals" need to network**
- 6) **Remember that we all have a place in the overall picture**

**3. CLOSING: Reinforce key learning points**

- a. **400 plus gangs in Los Angeles with 50,000 members**
- b. **Expertise of a specific gang is made up of: names, symbols related to tattoos and graffiti, history of the gang, boundaries of their turf, among other things**
- c. **When southern California gang members are in custody their primary loyalty is to La Eme or the Mexican Mafia**
- d. **Similar to Black gangs, Hispanic gangs are heavily involved in drug trafficking and sales**

**B. OUTLAW MOTORCYCLE GANGS (117c)**

1. Overview of training goals and objectives
  - a. The make up of outlaw motorcycle gangs and their activities
  - b. Origins of outlaw motorcycle gangs
  - c. Identification of members of an outlaw motorcycle gang as part of applying 186.2PC
2. **History of outlaw motorcycle gangs**
  - a. **Formed post World War II**
    - 1) **The economy was slow and the job market was poor, and women were entering the workplace, so, returning soldiers often could not find work**
    - 2) **When these gangs started their activities were mostly bar fights and drinking**
  - b. **Hells Angels became the most influential OMG (see p.p. slide)**
    - 1) **This was done with intimidation and violence**

2) **The Hell's Angels was more organized: divided into chapters, rules and punishments for violating rules**

c. **Flourished during the late 1960's due to the drug culture of that period (see p.p. slide)**

1) **The hippie population used a lot of illegal drugs**

2) **The OMGs sold the drugs to them**

d. **Recently improved their image for business purposes**

1) **Legitimate businesses: tattoo shops, strip clubs**

2) **This cleaned up and softened their public image**

3. **The "Big Three" OMGs in the Los Angeles area**

a. **Hells Angels**

b. **Mongols**

1) **Hollenbeck, San Pedro, Foothill**

2) **Mongols are currently rivals of the Hell's Angels**

3) **Are also fighting with the Mexican Mafia**

c. **Vagos**

d. **There activities included:**

1) **Narcotics, weapons, and stolen motorcycles sales**

2) **Murder for hire and bank robbery**

3) **They are better organized than street gangs which makes them more effective criminals**

4. **Definition of a gang**

A group of three or more persons who have a common identifying sign, symbol, or name, and whose members individually or collectively engage in, or have engaged in, a pattern of criminal activity creating an atmosphere of fear and intimidation within the community

5. **STEP Act: 186.2PC**

a. **Actively participate in a street gang**

b. **With knowledge that the gang engages in a pattern of criminal activity, and**

c. **Willfully promote, further or assist in criminal conduct by gang members**

6. **Identification of OMG members: The first part of 186.2 PC**

a. **Hell's Angels: Most (OMG)**

b. **Easy to identify: Their three piece patch**

1) **Top part: Name of gang**

2) **Middle: Usually something to do with death, destruction, skulls, etc.; their gang insignia**

3) **Bottom rocker: Their chapter**

4) **Bottom rocker only for prospect/probationer**

5) **If they're not "flying their colors", i.e. wearing their patch, they can be identified by their tattoos**

a) **Have to be a member for at least five years, in good standing to get a tattoo**

b) **It is popular to get the three piece patch tattooed on their chest**

c) **Mongols forever, forever Mongols (MFFM)**

- d) **Angels forever, forever Angels**
- e) **Vagos forever, forever Vagos**
- f) **c), d) and e) does not necessarily mean they are a member of an OMG**
- g) **1%: on a patch or tattoo; identifies them as a member of an OMG, means "Chosen Few"**
- h) **Mongol 1% patch**
- i) **Banditos 1% patch**
- j) **Mongols and Banditos: Two of the largest OMGs in the US**
- c. **OMGs like to have many photos of the gang members**
  - 1) **They keep photos of other chapters**
  - 2) **Used to help being infiltrated**
- d. **If a suspect says he is no longer with an OMG but has tattoos**
  - 1) **If he is truly out of the gang he will have an "out date" next to an "in date" near his main tattoo; this is out in good standing**
  - 2) **Out in bad standing: If this is true the tattoo will be burned off or in some way desecrated**
- 7. **Second part of 186.2PC: Pattern of criminal activity**
  - a. **Need 2 convictions,**
    - 1) **One after 09/26/88**
    - 2) **And the second within three years of the first offense**
  - b. **With OMG members it is difficult to find predicate acts**
  - c. **Only a small number of members are documented in CalGang**
  - d. **Need to have someone to identify suspect as a gang member prior to the crime**
- 8. **The structure of an OMG, all elected positions**
  - a. **President**
    - 1) **Runs club meeting**
    - 2) **Presents proposals**
    - 3) **Counts votes**
  - b. **Vice president**  
**Assists the president**
  - c. **Sergeant at Arms**
    - 1) **Enforce club rules**
    - 2) **Carry out punishments**
  - d. **Treasurer**  
**Handle all club finances**
  - e. **Road Captain**
    - 1) **Organized club runs (rides)**
    - 2) **Plans fuel stops, parking, parts, truck route**

**f. Member**

- 1) **Attend club meetings**
- 2) **Pay dues**
- 3) **Follow club rules**
- 4) **Maintain the club name**
- 5) **Criminal activities, including being creative with weapons and weapons hiding locations**

**g. Prospect**

- 1) **Do everything asked of him by a full club member**
- 2) **Including: fighting, clean club house, guard motorcycles, carry out criminal activity**

**h. Hang around**

- 1) **Associate with club members**
- 2) **Cannot attend club meetings or engage in club business**

**9. Current intelligence**

**a. Dispute between the Hell's Angels and the Mongols**

- 1) **The dispute is about the Hell's Angels wanting to be the only OMG wearing the "California" bottom rocker patch**
- 2) **In Nevada there have been stabbings, home invasions, the shooting in Laughlin a few years ago, all related to the dispute**

**b. Use of "farm clubs" and "satellite clubs"**

**A small club trying to get "patched over" (absorbed) into one of the large OMGs**

**10. CLOSING: Reinforce key learning points**

- a. OMGs are more sophisticated than the average criminal**
- b. They have good reasons to stay out of jail, more so than the average criminal**
- c. They are more creative with weapons and weapons hiding locations**
- d. They are more organized than street gangs**

**C. BLACK GANGS**

**(117c)**

1. Overview of training goals and objectives
  - a. The history of Black gangs
  - b. Characteristics and structure of Black gangs
  - c. Current gang crime trends
  - d. Prison gangs and disruptive groups
  - e. Radical Groups with street and prison members and associations
  - f. Identification of gangs by tattoos and graffiti
2. **History of Black street gangs**
  - a. Before 1965**
    - 1) **Slausons**
    - 2) **Gladiators**

- 3) **Swamp Boys**
- 4) **Businessmen**
- b. **Post 1965**
  - 1) **Watts riots**
  - 2) **Black Panther Party influence, Alprentic "Bunchy Carter**
  - 3) **1969: Raymon Washington (Eastside Crips) and Stanely "Tookie" Williams (Westside Crips)**
- c. **Bloods established gangs were victimized by Crips**
  - 1) **Piru Street Boys (Compton Piru)**
  - 2) **LA Brims (6-Deuce)**
  - 3) **Swans**
- d. **1979s wars and the polarization of Crips**
  - 1) **The outbreak of war between Rollin 60's and 8-Tray Gangster Crips**
  - 2) **The murder of Raymond Washington (ECC v Hoover Crips)**
- e. **1980s narco wars**
  - 1) **Whitey's Enterprise**
  - 2) **Third World**
  - 3) **Benzo Boys**
  - 4) **"Freeway" Ricky Ross, Rene McGowan, Wayne "Honcho" Day**
- f. **Mid 1980s: Gang activity across the nation**
- g. **1992 Riots leading to attitude changes**
  - 1) **No respect for the police**
  - 2) **Planned attacks on the police**
  - 3) **Influence of BGF and NOI (FOI) and other radical groups**
3. **Characteristics and structure of Black gangs**
  - a. **LAPD officers may not use race, color, ethnicity or national origin, to any extent or degree, in conducting stops or detentions, or in activities following stops or detentions, except when engaging in appropriate suspect specific activity to identify a particular person or group**
  - b. **Identification**
    - 1) **Colors: Blue and red as well as other colors**
    - 2) **Clothing: Shoe strings, belts, hats, sagging pants, sport team emblems on clothing**
    - 3) **Language: "B" words, "C" words, slang terms, other derogatory terms only used in Los Angeles**
    - 4) **Graffiti: Type and location; walls, clothing, books, shoes**
    - 5) **Hand signs**
    - 6) **Location/neighborhood and associates**
    - 7) **Tattoos: Type and location**
    - 8) **Admission or identified by other members of his gang**
  - c. **Structure**

- 1) **Territory**
- 2) **Loyalty**
- 3) **Degrees of membership, female members**
- 4) **Sphere of influence**
- 5) **Cliques and crews**
- 6) **Know the history of your gang, especially for court**
4. **Current gang crime trends**
  - a. **Drive-by shootings**
  - b. **Take over robberies**
  - c. **Kidnapping**
  - d. **Car-jacking**
  - e. **Attacks on police**
  - f. **Burglaries**
  - g. **Weapons sales and trafficking**
5. **Prison gangs and disruptive groups**
  - a. **BGF: Black Guerilla Family**
  - b. **Blue Magic (Folsom), Blue Notes, Blue Steel**
  - c. **UBN: United Blood Nation**
  - d. **UBL: United Blood Line, Damu Mstari**
  - e. **ACW: African Cultural Workshop, BOP**
  - f. **Ansar L. Muhammad**
  - g. **CCO: Consolidate Crips Organization**
  - h. **Vanguards: Former BGF and Crips**
  - i. **415 African Nation, Kumi Nation, The Firm**
6. **Radical groups with street an prison member and associations**
  - a. **Black Ridas Leberation Army: CYA**
  - b. **Nation of Islam-NOI, Fruits of Islam: FOI,**
  - c. **El Rukins: Black Stone Rangers**
  - d. **New African Freedom Front, New African Liberation Army**
  - e. **BPP: Black Panther Party, New African-American Vanguard Movement**
  - f. **Black Liberation Army: BLA**
7. **Gangster Rap and Hollywood: trends and associations**
8. **Identification of gangs by tattoos and graffiti**
  - a. **DISTRIBUTE: Photos of gang graffiti and tattoos**
  - b. **Students will be given photos of graffiti and tattoos and interpret their meaning**
  - c. **Students will identify what stage of a gang crime investigation this information would be used and how**

9. CLOSING: Reinforce key learning points
  - a. The 1992 Riots lead to a decrease in respect for the police and planned attacks on the police
  - b. Similar to other gangs, Black gang members can be identified by their clothing colors, street slang, hand signs, graffiti and tattoos
  - c. Gangs have a violent history in Los Angeles. In the 1979's and 1980's there were a series of violent "wars" between gangs
  - d. Black gangs engage in a variety of crimes including drive-by shootings, take over robberies, kidnapping, as well as other crimes

**D. ASIAN GANGS**

1. Overview of training goals and objectives
  - a. The differences between Asian gangs and other ethnic gangs
  - b. It is important to be familiar with the Asian culture to be effective
  - c. Officer safety concerns specific to Asian gangs
  - d. Asian gang members by their tattoos and burns
2. Overview if Asian gangs **(117c)**

**a. SHOW: Video; Hard core Asian gang member**

**b. SHOW: Video; William Hung on American Idol TV show**

**c. Instructor explains that the video has nothing to do with Asian gangs but is just an ice breaker**

**3. Asian Gang Unit**

**a. Takes a case all the way from the PIR to the jury trial, and**

**b. Can be brought in at the division's request**

**c. For a roll-out call 213-437-7333 or the Command Post**

**d. Most of the unit's members are bilingual**

4. The differences between Asian gangs and other ethnic gangs
  - a. They have no set territory and are highly mobile: Except for Cambodian
  - b. Many live in the San Gabriel Valley area but commit crimes in Los Angeles
  - c. They have different ways of identify their groups
  - d. Anyone can join the gang, no prejudice
  - e. Respect could mean life or death
  - f. Strict code of silence
  - g. Loyalty to fellow brothers
  - h. Their main goal is making money
    - 1) They have no long term rival to distract them
    - 2) They have no long term friends
5. Asian Organized Crime Structure Map (see p.p. slide)
  - a. Dragon head: boss
  - b. White fan: enforcer, Sergeant at Arms,
  - c. Lieutenant 1, 2, 3...
6. Main ethnic subgroups in Asian street gangs (see p.p. slide)

- a. Southeast Asia (Vietnamese, Cambodian, Laotian)
- b. Chinese
- c. Korean
- d. Filipino
- e. Pacific Islander

7. Cultural cues (see p.p. slide)

- a. Making eye contact: briefly is ok, but prolonged eye contact is considered disrespectful
- b. It is important to be respectful of the elderly
  - 1) Always greet the eldest of the house
  - 2) Then to the next oldest, etc
- c. Voices are kept at normal volumes and are not confrontational
- d. Handshaking is generally not done in the case of authority figures

Instead, they make brief eye contact followed by a nod of the head

e. The order of Asian names:

- 1) Last, first, middle
- 2) It is important that officers get both American and traditional names of the individuals they are dealing with
- 3) Brothers often share the same middle name

8. Profile of an Asian gang member (see p.p. slide)

- a. Age: 12 to unknown upper age limit
- b. Very little or no parental control
- c. The gangs were formed by new immigrants for protection
- d. Individuals will stay in school, gang activity is for after school
- e. They think being in a gang is "cool"

9. Modus operandi: (see p.p. slide)

- a. Use extreme violence
- b. Usually weapons (knives, guns) and multiple suspects are involved
- c. Knives are usually their weapon of choice
- d. Now street gangs are controlled or in some way connected to organized crime for the purpose of making money
- e. There are college and graduate students

10. Identifying Asian gang members (see p.p. slide)

- a. Self admittance
- b. By who they associate with
- c. Where they live and frequent
- d. School they attend, talk with School Police Dept
- e. Tattoos: Dragons, tigers, eagles
- f. Colors: Wearing a specific color to identify themselves as a member
- g. Self inflicted scars/cigarette burns, 3 or 5 dots
- h. Jump in and out (initiation and exit from a gang)

- i. Walk in and out
- j. Burn in and out
- k. Sex in and out
- l. Arrest, probation, parole records
- m. Use of hand signs (see p.p. slide)
- n. Graffiti/tagging
- 11. Asian gangs are known to have superior weapons compared to other ethnic gangs (see p.p. slide)
  - a. Knives, handguns, rifles, shotguns, fully automatic assault weapons
  - b. Sawed off shotguns and rifles are preferred because they are easier to conceal
- 12. Common criminal activities (see p.p. slide)
  - a. Murder
  - b. Home invasion robbery
  - c. Business take over robbery
  - d. Burglary (weapons for wars, money)
  - e. Auto theft
  - f. Drive by shooting
  - g. Organizing rave parties

Mainly for drug sales (cocaine, marijuana, methamphetamine, ecstasy)

- h. Car-jacking
- i. Sexual assault/gang rape: They tell the victim that her father will disown her, and then they send her to another city to be a prostitute for them
- j. Witness intimidation; very common
- k. Fraudulent credit cards or checks
- l. High tech crime such as counterfeit computer software
- 13. Officer safety issues
  - a. Female Asian gangs: These have been evolving since the 1980s
  - b. Use of females to flirt with officers to distract them
  - c. Used to carry weapons
  - d. Officers should not let physical size or gender fool them
  - e. Trailer cars are often used
    - 1) For distraction
    - 2) For shooters
  - f. These gang members practice their tactics
- 14. Asian gang related investigations (see p.p. slide)
  - a. Know about or at least try to understand and respect the Asian cultures
  - b. Treat people the way you want to be treated
  - c. Try not to stereotype
  - d. Know how to gain their trust

15. Asian gang photographs, originally started by Cambodians (see p.p. slide)
16. Asian gang photograph, Vietnamese ABZ gang (see p.p. slide)
17. Asian gang photograph, Vietnamese ABZ gang (see p.p. slide)
18. Asian gang photograph, Vietnamese ABZ gang (see p.p. slide)
19. Asian gang photograph, Vietnamese V Boys gang (see p.p. slide)
20. Asian gang photograph, Vietnamese The V gang (see p.p. slide)
21. Asian gang photograph, Chinese gang - Wah Ching (see p.p. slide)
22. Asian gang photograph, Chinese gang - Wah Ching (see p.p. slide)
23. Asian gang photograph, Chinese gang - Wah Ching (see p.p. slide)
24. Asian gang photograph, WC Hispanics (see p.p. slide)
25. Asian gang photograph, WC - Monterey Parkside, MPWC (see p.p. slide)
26. Asian gang photograph, MPWC possible annual inspection (see p.p. slide)
27. Asian gang photograph (see p.p. slide)
28. Asian gang photograph, Cambodian - OLB (see p.p. slide)
29. Asian gang photograph, Oriental Boys - OBZ (see p.p. slide)
30. Asian gang photograph, Oriental Lazy Boys - OLB (see p.p. slide)
31. Asian gang photograph, China Town Boys (see p.p. slide)
32. Asian gang photograph, China Town Boys (see p.p. slide)
33. Asian gang photograph, China Town Boys (see p.p. slide)
34. Asian gang photograph, China Town Boys (see p.p. slide)
35. Asian gang photograph, Black Dragon (see p.p. slide)
36. Asian gang photograph, Santana - STS (see p.p. slide)
37. Asian gang photograph, Pinoy Real - PR (see p.p. slide)
38. Asian gang photograph, Love, Money, Sin, Prison, Revenge - 4 or 5 Ts (see p.p. slide)
39. Asian gang photograph, Born to Kill - BTK (see p.p. slide)
40. Asian gang photograph, Chinese gang (see p.p. slide)
41. Asian gang photograph, Korean Mobsters KM (see p.p. slide)
42. Asian gang photograph, Korean Mobsters (see p.p. slide)
43. Asian gang photograph, Black Dragon (see p.p. slide)
44. Cigarette burn marks (see p.p. slide)
45. Cigarette burn marks (see p.p. slide)
46. Burn marks (see p.p. slide)
47. Asian Crime Unit (see p.p. slide)
  - a. Send copies of arrest reports and PIRs that involve Asian gang members
  - b. Request that someone from the unit to roll call and update officers
  - c. Location: 419 S. Spring St, suite 400, 213-473-7333
48. CLOSING: Reinforce key learning points
  - a. Asian gangs have no set territory and can therefore be anywhere

- b. Asian gangs often have superior weapons than what officers expect
- c. Female Asian gangs have been around since the 1980s and they are known to be very violent
- d. It is important to be respectful in the Asian cultures; no prolonged eye contact, always recognize the eldest first

**E. WHITE GANGS**

**1. Overview block of training**

- e. The Nazi Low Riders
- f. Aryan Brotherhood
- g. Miscellaneous Skinhead gangs
- h. Overall problems with white gangs

**2. Overview of white gangs (117c)**

- a. Nazi Low Riders (NLR)
  - 1) Current total membership according to the California Department of Corrections (CDC) for Nazi Low Riders
    - a) 455 members
    - b) 55 affiliates
    - c) 116 dropouts
    - d) 626 inactive
  - e) There are some Public Enemy No. 1 (PENI) members who are trying to become NLR
- 2) Two factions of NLR
  - a) Fuck the Brand (FTB),
    - (1) The Brand being Aryan Brotherhood (AB)
    - (2) They don't want to become AB
  - b) NLR AB
    - (1) Run by Michael Bridge (aka Snake from Ontario)
    - (2) Aspire to become AB
  - c) None are claiming membership because of the split
    - (1) The politics inside the prisons indicates that they will be asked what side they are on
    - (2) The NLR is currently "cleaning house" or "getting rid of dead wood"
      - (a) If the senior members asked him "what did you do when you got booked?" The member needs to tell them how he fought the police, etc.
      - (b) If there are members who aren't acting the way they are expected to out on the prison yard they will be "gotten rid of"
- 3) NLR on the street estimated 3000
  - a) According to CalGang: 260
  - b) This includes 30 affiliates
  - c) Officers are not able to properly identify members
    - (1) Officers resort to entering gang members into CalGang as "white other"
    - (2) Because they are not claiming membership
    - (3) There is a "green light" on them

A "green light" means that other gangs are supposed to kill them

- d) These gangs are all "validated" with the exception of PENI
- (1) When a member of a validated gang is sent to prison they are always assigned to the "Special Housing Unit"(SHU)
- (2) The members are separated from one another and no one know who becoming an informant
- (3) Only the most violent prisoners are sent there
- (4) Those in the SHU have no contact with other prisoners
- (5) Are only let out of their cell for an hour a day
- (6) There are 30 in CalGang
- 4) Officer safety issues
  - a) NLRs are know to be very violent
  - b) They know that they will be questioned by senior gang members after they have had police contact
  - c) The gang is currently getting rid of the "dead wood"
  - d) This means that they don't want to go to prison and be subjected to scrutiny by senior gang
  - e) They are afraid of being sent to the SHU
  - f) They would rather be segregated as a known member
  - g) Or in the general population as unknown
- 5) Crimes typically committed by NLR members
  - a) Identity theft, "running paper"
  - b) Sales and use of methamphetamine
- (1) Vagos OMG and NLR are working together
- (2) NLR is cooking up Methamphetamine for Vagos to sell
- (3) There are many NLRs who want to become Vagos
- 6) NLR, PENI, and AB are not considered to be "Pure White Supremacists"
  - a) They use narcotics and Pure White Supremacists don't
  - b) They still commit assault
- (1) Hate crimes to earn their "lightening bolt" tattoos
- (2) Shamrock brand
- (3) Robberies
- c) Mostly independent
  - b. Aryan Brotherhood (AB), aka "the Brand"
- 1) Current membership according to the CDC
  - a) 35 members
  - b) 132 associates
  - c) 178 dropouts
  - d) 26 inactive
  - e) Their "books are closed" meaning they are not accepting any new members now
- 2) AB members on the street
  - a) 31 according to CalGang, most live in the Harbor area

- b) This includes 1 affiliate
  - c) Officers are not able to identify members, often not getting a shamrock brand, because they will be sent to the SHU
  - d) Officers are entering members as “white other”
  - e) They are using females to sending letters, check cashing
- 3) Internal structure of AB
- a) John Stentson is the leader. His wife is also very active
  - b) Most members are still solid
  - c) The federal case (RICO) affects them, however,
  - d) There is little that can be done to a member who’s status is “life without parole”
  - e) They are using their attorneys to communicate with each other
- 4) Miscellaneous information on AB
- a) Books are still closed
  - b) They still recruit from NLR, but they don’t make them AB
  - c) Public Enemy No. One (PENI)
- (1) Is the fastest growing white prison gang currently, and skinheads
- (2) Haven’t been validated as a gang
- (3) Mostly made of skinheads out of Orange Co.
- (4) They are also bringing in “Any wood that stands up for himself”; an individual who stands up for himself on the prison yard or out on the street (see p.p. slide)
- c. Skinheads
- 1) Current assorted skinhead membership according to CDC
- a) 202 according to CalGang, but there are many more out there
  - b) Includes 1 affiliate
  - c) Officers are not able to properly identify members, not able to distinguish between the types of Skinheads
- 2) Types of Skinheads
- a) White Power Skins (WP)
- (1) They are white supremacists, white power
- (2) Ideologically driven
- (3) Don’t use narcotics
- (4) Some sell narcotics, but not to white people
- (5) They are training for the “Racial Holy War” (Rahowa)
- b) Hammerskins
- (1) One of the largest white supremacist “crews” in the US
- (2) Have a strict background process; they use private investigators to trace your lineage
- (3) PENI has some skinheads in it
- (4) Viscous Circle
- (5) Tri-state Valley Skinhead Coordination Crew, aka Tri-State Terror
- (a) Several independent skinhead groups got together
  - (b) From the San Fernando, Santa Clarita and San Gabriel Valleys

- c) Skinheads Against Racial Prejudice (SHARP)
- d) Red Anarchist Skinheads (RASH)
- e) Gay American Skinheads (GASH)
- f) White Aryan Resistance

- (1) Large gang
- (2) Organized by Tom Metzger
- (3) Have a weekly newsletter
- (4) Small radio station
- (5) Sharing a compound with Aryan Nations

- (a) Are becoming more dangerous
- (b) Training heavily for the Rahoma
- (c) Shaving their heads
- (d) Wearing green flight jackets

3) Skinhead tattoos

- a) New skinhead tattoo
- (1) Plain plus sign or plus sign with arrows at each end
- (2) Means white supremacy is spreading out all over America
- b) Not using lightening bolt tattoo much anymore

Super sport "SS"

- 4) The Ku Klux Klan used to recruit from the prison gangs
- a) Has now disassociated from them
- b) Don't want anyone with a criminal record
- c) Don't wear sheets anymore, wear camouflage now with KKK on it

5) Recruitment

- a) Recruit heavily in schools
- b) Pass out CDs from racist record companies
- c) Print and pass out flyers from the internet

6) Officer safety issues

- a) They all hate law enforcement
- b) All are violent
- c) WP is biggest threat

d) WP is still recruiting

- e) Good soldiers although confusing politics
- (1) They are recruited by some prison gang for a task
- (2) But don't agree with their politics

3. Overall problems with white gangs

- a. Unable to identify them
- b. Enter them into CalGang

- c. Officers should take good photos
- d. Officers should be sure to document and photo tattoos
- 4. Court room preparation when dealing with white gangs
  - a. Articulate the predicate acts for 186.2PC enhancement
  - b. Be familiar with the crime and how it relates to the gang
- 5. CLOSING: Reinforce key learning points
  - a. Officers should understand the violent nature of white gangs
  - b. Aryan Brotherhood is a gang that has some control over other white gangs
  - c. White gangs are typically involved in: Identity theft, sales and use of methamphetamine, assaults, hate crimes
  - d. Be aware that it is difficult to distinguish between the different types of white gangs

**F. PRISON GANGS**

- 1. Overview of block of instruction
  - a. Overview of the California Department of Corrections
  - b. Prison gangs' association with street gangs
  - c. The CDC Investigator of gang members
- 2. Prison gangs overview
  - a. Based on information available on 10-10-04 there are nine prison gangs in California which are monitored the California Department of Corrections (CDC)
  - b. California Department of Corrections
    - 1) Operates all state prisons
      - a) 5 prisoner mother facilities
      - b) 32 prisons
      - c) 163,685 inmates as of October, 2004
    - 2) Oversees a variety of community correctional facilities
      - a) 37 corrections camps
      - b) 12 community correctional facilities
    - 3) Supervises all parolees
      - a) 112,685 as of October, 2004
- 3. Monitoring of disruptive groups (gangs other than prison gangs) by CDC
  - a. Crips and Bloods
  - b. Asian gangs
  - c. Hispanic gangs
    - 1) Nortenos: "Northerners" in Spanish
      - a) Adopted the number 14: "N" is the fourteenth number in the alphabet, written as "14" or "XIV"
      - b) The color red from the "Red Banner with the Eagle", adopted from migrant farm workers
      - c) Five pointed Star symbol: "Northern Star"
      - d) Use "Nauhtal" (Aztec) numbering system in their communications
      - e) Call themselves "Ixpól" which is "Northerner" in Aztec

- 2) Surenos: "Southerners" in Spanish
  - a) Use the number "13" or XIII
  - b) Call themselves "Kanpol" which is "Southerner" in Aztec
  - c) Also use Aztec numbering system
  - d) Tattoo three dots over or between two horizontal lines: this is called the "Kanpol symbol" and is "13" in Aztec
- d. White gangs
- e. Motorcycle gangs
- f. Russian gangs
- g. Revolution/terrorist groups
- h. Taggers and/or Party Crews
- i. Immigrants: from Central and South America mostly, who have gang ties
  - 1) Tattoo "BB" for "Border Brothers"
  - 2) Tattoo of a cactus
- j. Mexican nationals: "Pisas"
 

Tattoo "Paisa" followed by their home state
- k. Salvadorians who are connected to "Mara Salvatruchas"
- l. Cubans: "Marielitos"
4. Category of membership or affiliation with a gang
  - a. Member
  - b. Associate
  - c. Dropout
  - d. When a gang member or associate is released from prison and returns to their street gang, they retain some allegiance to the prison gang
5. Prison gangs
  - a. Aryan Brotherhood (AB)
  - b. Nazi Low Riders: Has ties with AB
  - c. Black Guerrilla Family
  - d. Mexican Mafia (La Eme): Gives orders and controls the Sureno gangs
  - e. Northern California prison gangs: give orders to Norteno gangs
- 1) Nuestra Familia
- 2) Nuestra Raza
- f. Texas Syndicate
6. It is important to monitor these gangs for several reasons
  - a. Helps during criminal investigations (CalGang system)
  - b. Determines where individuals should be housed
7. CDC gang investigator
  - a. Is assigned an individual who is suspected to be a gang member
  - b. Reviews the individual's CDC Central file, state/local and FBI criminal histories

- c. Interviews the individual
- d. Validation of gang membership
  - 1) This requires a minimum of three original and independent sources showing the affiliation/membership
  - 2) At least one of the above must directly link the individual to a validated gang member
  - 3) Methods of validation
    - a) Self admission
    - b) Tattoos and symbols on the body
    - c) Written material: membership list, enemy list...
    - d) Photographs
    - e) Other CDC officer/deputy observations
    - f) Information from other agencies
    - g) The nature of the individual's criminal act
    - h) Legal documents
    - i) Documented association with validated gang members
    - j) Documented phone conversations and correspondence
    - k) Visitors to the prison
    - l) Debriefing reports
    - m) Informants
    - n) CDC confidential reports
- 8. CLOSING: Reinforce key learning points
  - a. The monitoring of prison gangs by the CDC is vital to their overall goals
  - b. The prison gangs influence and control the street gangs that they are associated with
  - c. The Hispanic prison gangs can be identified by their tattoos, body symbols or colors they wear

### **III. POLICIES, PROCEDURES AND MISCONCEPTIONS**

#### **A. LEGAL UPDATE**

- 1. Overview of training goals and objectives
  - a. The definition of a gang, a gang crime, and the criteria for gang and affiliate membership
  - b. The changes Senate Bill 1159 as they relate to hypodermic syringes
  - c. Gun laws as they relate to gang crimes
  - d. Changes the STEP Act made to PC 186.22, and PC 12022.53 in gang cases
- 2. Overview of changes in gang laws **(117c)**

Definition of a gang: A group of three or more persons who have a common identifying sign, symbol, or name, and whose members individually or collectively engage in, or have engaged in, a pattern of criminal activity creating an atmosphere of fear and intimidation within the community

- 3. Criteria for membership in a gang
  - a. Individual admits to being a gang member; openly declares active membership upon first officer contact or during pre-custodial screening
  - b. Individual is wearing gang attire
  - c. Individual uses gang hand signs or symbols

- d. Individual has gang tattoos
- e. Individual frequents gang areas and openly associates with documented gang members
- f. Individual has been arrested with documented gang members
- g. Individual has been identified as a gang member by a tested, reliable criminal informant
- h. Individual has been identified as a gang member by an untested, criminal informant with documented corroboration, or
- i. Individual has been identified as a gang member by a citizen informant
- j. Two or more of these indicators are observed in an individual, an identifying number (driver license, CII number, etc.) other than a date of birth is required in order for the individual to be entered into the CalGang database

CalGang system is a database of all California gangs and related information

#### **4. Criteria for affiliate gang membership**

An individual who meets only one of the above criteria may be considered a gang affiliate. In addition to this indicator, an identifying number other than a date of birth is needed for gang affiliate. The gang officer shall document the name of the documented gang member with whom the affiliate is associated, the gang member's date of birth and his/her CalGang number

#### **5. Other factors to consider regarding gang membership**

- a. Possession of gang graffiti on personal property and clothing
- b. If arrested a prior arrest with a known gang member(s) was for a crime consistent with gang activity
- c. Statements from family members indicating the individual is a gang member
- d. Other law enforcement agencies identifying the individual as a gang member
- e. The individual attends gang functions or loiters at known gang hang outs, such as funerals and gang parties
- f. Identified by other members of that gang or by rival gang members

#### **6. Definition of a gang crime**

- a. Any crime may constitute a gang related crime when the suspect or victim is an active or affiliate gang member, or when the circumstances indicate that the crime is consistent with gang activity
- b. Determining if a crime in gang related is subjective and the totality of the circumstances must be considered. Classification cannot be accomplished accurately without a high degree of gang expertise or validation via the Cal/Gang system
- c. One or more of the following criteria shall be used to justify that a crime is gang related:
  - 1) The suspect or victim is a known gang member and has been previously entered in the Cal/Gang system
  - 2) The suspect or victim is a known gang member or affiliate and has been validated by information in the Automated Field Interview (AFI/NECS), or witness/victim statements
  - 3) The suspect or victim has gang tattoos
  - 4) The suspect or victim uses a gang moniker
  - 5) A statement indicating gang involvement is made
  - 6) The suspect or victim was dressed in gang attire or wearing gang colors or clothing
  - 7) The suspect or victim was demonstrating gang behavior
  - 8) Multiple suspects and gang modus operandi (MOs) are involved
  - 9) The location of the crime was within identified gang boundaries, or at a know gang location
  - 10) Similar (MOs, suspects, times or locations) reports where the suspect(s) were identified as gang members
  - 11) The type and/or MO of the crime is inherently gang related such as a "drive by shooting"

#### **7. Senate Bill 1159: Hypodermic Needles and Syringes**

- a. The change in the law authorized a licensed pharmacist, until December 31, 2010, to sell or furnish ten or fewer

hypodermic needles or syringes to a person for human use without a prescription if the person is known to the furnisher and has previously provided the furnisher with a prescription or other proof of legitimate medical need

b. The bill makes it unlawful to discard or dispose of a hypodermic needle or syringe upon the grounds of a playground, beach, park, or any public or private elementary school, vocational, junior high, or high school

c. Section 4146 of the Business and Professions (B&P) code is repealed

d. Section 4147 B&P is amended to read:

1) 4147(a): For the purpose of this section, playground means any park or outdoor recreational area specifically designed to be used by children that has play equipment installed or any similar facility located on public or private school grounds or county parks

2) 4147(b): Any hypodermic needle or syringe that is to be disposed of, shall be contained, treated and disposed of, pursuant to Part 14 (commencing with section 1176000) of Division 104 of the Health & Safety (H&S) Code

3) 4147(c): It is unlawful to discard or dispose of a hypodermic needle or syringe upon the grounds of a playground, beach, park, or any public or private elementary, vocational, junior high, or high school

4) 4147(d): A person who knowingly violates subdivision (c) is guilty of a misdemeanor, and upon conviction shall be punished by a fine not less than two hundred dollars (\$200), or by imprisonment in a county jail for up to six months, or by both that fine and imprisonment

e. Section 11364 H&S is amended to read:

1) 11364(a): It is unlawful to possess an opium pipe or any device, contrivance, instrument or paraphernalia used for unlawfully injecting or smoking (1) a controlled substance, or (2) a controlled substance which is a narcotic drug classified in Schedule III, IV, or V

2) 11364(b): This section shall not apply to hypodermic needles or syringes that have been containerized for safe disposal in a container that meets state and federal standards for disposal of sharp waste

8. Gun codes and gang members

a. Instead the D.A.'s office is filing charges related to unregistered guns. The main reason for filing this way is that the punishment is the same

b. However, if there is some sort of evidence (i.e. statement of gang affiliation made during the crime) then the previous sections may be used

c. Refer to the following when charging crimes during the booking process and report writing

1) PC section 12021(a)(1), convicted felon with a gun (attach criminal history). Conviction is not limited to a felony

2) PC section 12021(c)(1), except as provided in subdivision (a) or paragraph (2) of this subdivision, any person who has been convicted of a misdemeanor violation of section subdivision (d) of 148, 240, 241, 242, 243, 244.5, 245, 245.5, 246.3, 247, 273.5, 273.6, 417, 417.6, 422, 12023, 120024, and 12034 (for the complete list see 12021(c)(1)) and

3) Who within ten years of the conviction, owns, purchases, receives, or has in his or her possession or under his or her custody or control, any firearm is guilty of a public offense, which shall be punished by

Imprisonment in a county jail, not exceeding one year or in the stated prison, or by a fine not exceeding one thousand dollars (\$1000), or by both that imprisonment and fine

4) PC section 12025(b)(3), gang member with a gun, felony:

a) The arresting officer must show possession of the gun and

b) The suspect is a gang member and

c) The suspect possesses the gun to benefit, further, or in association with the gang

d) Testimony by a gang expert in court will be insufficient, will need some physical evidence (suspect statements during crime or during arrest, etc)

5) An alternative to PC section 12025(b)(3):

PC section 12031(f), possession of a loaded firearm where the person is not listed with the Department of Justice pursuant to Section 11106, as the registered owner of the pistol, revolver, or other firearm capable of being concealed upon the person, by imprisonment in the state prison, or by imprisonment in a county jail not to exceed one year, or by a fine not to exceed one thousand dollars (\$1000) or both that fine and imprisonment

6) What is needed for a felony?

a) The gun does not have to be concealed

- b) Does not have to be registered
  - c) Is in a vehicle or on a person
- 7) PC section 12025(b)(6): possession of a firearm not loaded
- a) Carries concealed within any vehicle, which is under his or her control or direction, any pistol, revolver, or other firearm capable of being concealed upon the person
  - b) Is punishable by imprisonment in the state prison, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed one thousand dollars (\$1000) or by both that fine and imprisonment if both of the following are met:
    - (1) Both the pistol, revolver, or other firearm capable of being concealed upon the person
    - (2) And the unexpended ammunition capable of being discharged from that firearm are either in the immediate possession of the person or readily accessible to that person
9. The STEP Act changes to Penal Code section 186.22
- a. What is the STEP Act?
    - 1) It has undergone major revisions through both the legislative process and proposition 21 which took effect on March 8, 2000
    - 2) It provides the prosecutor with tools to deal with gang violence through gang enhancements
    - 3) California legislature passed the original Street Terrorism and Prevention Act in 1988; took effect on September 26, 1988
  - b. Changes to Penal Code Section 186.22
    - 1) Has four distinct subsections that provide for criminal liability when the crime is committed for the benefit of a gang with the specific intent to further gang conduct (186.22(a), 186.22(b)(1), 186.22(b)(4), 186.22(d))
    - 2) It is a wobbler and carries a one year county jail term or 16, 2, or 3 years in state prison
    - 3) The gang member must:
      - a) Actively participate in a street gang
      - b) With knowledge that the gang engages in a pattern of criminal activity, and
      - c) Willfully promote, further or assist in criminal conduct by gang members
    - 4) 186.22(a) Proving this section has been violated has been difficult due to its requirements;
      - a) The court imposed definition of “actively participate”
      - b) It requires that the gang member spend a substantial part of his time as a gang member
      - c) Prop 21 has specifically eliminated this requirement. Now, active participation in the criminal street gang is all that is required
      - d) A conviction may now be obtained without proving that the defendant is a gang member. Practically speaking, the defendant will be a gang member
      - e) Section 186.22(a), the knowledge requirement is difficult to prove
 

It requires direct or circumstantial evidence showing that the gang member knows what his fellow gang members are doing
  - 5) Section 186.22(b)(1)
    - a) This does not require that the gang member knows what his fellow gang members are doing
    - b) This section adds 2,3,or 4 years imprisonment for any felony related to gang activity, and 5 years for any serious felony, and 10 years for any violent felony
    - c) This should be the prosecutor’s first option because it is easier to prove and adds a substantial amount of time of imprisonment, however, it should start with the arresting officer(s) to suggest these additional charges
    - d) Thus, charging a violation of section 12031(a)(2)(C) is a last resort

e) An alternative to 12031(a)(2)(C) is 12031(a)(2)(F) which makes possession of an unregistered, concealed, or loaded firearm a felony

f) Simply put, gang members rarely possess registered firearms. So, adding 186.22(b)(1) to the unregistered firearm charge will result in an additional 2, 3, or 4 years to the sentence

g) When the defendant is on juvenile probation, charge PC12021(e) which make such a gun possession a felony

(1) If you charge the gun possession as a misdemeanor, add section 186.22(a)

(2) If the charge is section

(a) 12025(b)(6)(B)

(b) 12031(a)(2)(F), or

(c) 12021(e)

(3) Adding section 186.22(b)(1) will impose additional time

6) Section 186.22(b)(4)

a) Results in a sentence of 7 years to life for

(1) Gang extortion (as defined in PC 519)

(2) Witness intimidation (PC 136.1)

b) Results in a sentence of 15 years to life for

(1) Gang home invasion robbery (PC 213(a)(1)(A))

(2) Car-jacking (PC 215)

(3) Shooting at an occupied vehicle or building (PC 246)

(4) Discharging a firearm from a vehicle resulting in great bodily injury (GBI) or death (PC 12022.55)

7) Section 186.22(d)

a) Makes a misdemeanor committed for the benefit of a gang, such as tagging, a wobbler

b) It carries a mandatory minimum sentence of 180 days

c) It tracks, word for word, the language of section 186.22(b)(1)

d) It can be useful in a case where a gang member tags but the damage is less than \$400 (Prop 21 lowered the felony threshold of PC594(b)(1) vandalism to \$400 from \$5,000)

e) It can also be used in the case of a gang fight resulting in a battery charge or in misdemeanor gun possession. If the gang enhancement is proven, each of these would be a felony

10. Section PC 12022.53 in gang cases, "vicarious liability" under section 12022.53

a. Where a subsection (a)(1) murder, (a)(2) mayhem, (a)(3) kidnapping, (a)(4) robbery, (a)(5) car-jacking, (a)(7) assault with a firearm on a peace officer, or (a)(17) any attempt of the same is committed using a firearm by a gang member, the penalty is:

1) For display of a firearm: 10 years

2) For discharge of a firearm: 20 years or

3) For causing death or GBI with a firearm: 25 years to life

b. If section 186.22(b) is proven all the principals get the same enhancement whether or not the principal personally used the firearm (PC 12022.53(e)(1))

c. Example: If two gang members rob a person and one gang member displays a gun, both gang members get an enhancement of 10 years

d. Example: In a drive by shooting where no victim is shot, the driver, all non-shooting passengers and the shooter get a 20 year enhancement. If a victim is shot, the enhancement will be 25 years to life. The vicarious liability applies to the aider and abettor even if the shooter is acquitted

## **B. GANG ENHANCEMENTS**

**1. Overview of changes in gang laws**

**(117c)**

**2. Definition of a gang:**

A group of three or more persons who have a common identifying sign, symbol, or name, and whose members individually or collectively engage in, or have engaged in, a pattern of criminal activity creating an atmosphere of fear and intimidation within the community

**3. Criteria for membership in a gang**

- a. Individual admits to being a gang member; openly declares active membership upon first officer contact or during pre-custodial screening
- b. Individual is wearing gang attire
  - Sports attire with emblems or initials adopted by a gang
- c. Individual uses gang hand signs or symbols specific to a gang
- d. Individual has gang tattoos
  - 1) Gang's name, slogan, monikers or letters
  - 2) Loyalty, committed, type of gang member (i.e. shooter)
- e. Individual frequents gang areas and openly associates with documented gang members
- f. Individual has been arrested with documented gang members
- g. Individual has been identified as a gang member by a tested, reliable criminal informant
- h. Individual has been identified as a gang member by an untested, criminal informant with documented corroboration, or
- i. Individual has been identified as a gang member by a citizen informant
- j. Two or more of these indicators are observed in an individual, an identifying number (driver license, CII number, etc.) other than a date of birth is required in order for the individual to be entered into the Cal/Gang database

CalGang system is an intelligence database of all California gangs and related information (No other databases are permitted - Department policy)

**4. Criteria for affiliate gang membership**

An individual who meets only one of the above criteria may be considered a gang affiliate. In addition to this indicator, an identifying number other than a date of birth is needed for gang affiliate. The gang officer shall document the name of the documented gang member with whom the affiliate is associated, the gang member's date of birth and his/her CalGang number

**5. Other factors to consider regarding gang membership**

- a. Possession of gang graffiti on personal property and clothing
- b. If arrested a prior arrest with a known gang member(s) was for a crime consistent with gang activity
- c. Statements from family members indicating the individual is a gang member
- d. Other law enforcement agencies identifying the individual as a gang member
- e. The individual attends gang functions or loiters at known gang hang outs, such as funerals and gang parties
- f. Identified by other members of that gang or by rival gang members

**6. Definition of a gang crime**

- a. Any crime may constitute a gang related crime when the suspect or victim is an active or affiliate gang member, or when the circumstances indicate that the crime is consistent with gang activity
- b. Determining if a crime in gang related is subjective and the totality of the circumstances must be considered. Classification cannot be accomplished accurately without a high degree of gang expertise or validation via the CalGang system
- c. One or more of the following criteria shall be used to justify that a crime is gang related:
  - 1) The suspect or victim is a known gang member and has been previously entered in the CalGang system

- 2) The suspect or victim is a known gang member or affiliate and has been validated by information in the Automated Field Interview (AFI/NECS), or witness/victim statements
- 3) The suspect or victim has gang tattoos
- 4) The suspect or victim uses a gang moniker
- 5) A statement indicating gang involvement is made
- 6) The suspect or victim was dressed in gang attire or wearing gang colors or clothing
- 7) The suspect or victim was demonstrating gang behavior
- 8) Multiple suspects and gang modus operandi (MOs) are involved
- 9) The location of the crime was within identified gang boundaries, or at a know gang location
- 10) Similar (MOs, suspects, times or locations) reports where the suspect(s) were identified as gang members
- 11) The type and/or MO of the crime is inherently gang related such as a "drive by shooting"

11. Gun codes and gang members

- a. Unregistered guns and gang enhancement (186.22 (b) P.C.) added. The main reason for filing this way is that you enhance the felony
- b. Must have solid evidence that possession of handgun would benefit his gang (i.e. statement of gang affiliation made or possessed in gang territory)
- c. Refer to the following when charging crimes during the booking process and report writing
  - 1) PC section 12021(a)(1), convicted felon with a gun (attach criminal history). Conviction is not limited to a felony
  - 2) PC section 12021(c)(1), except as provided in subdivision (a) or paragraph (2) of this subdivision, any person who has been convicted of a misdemeanor violation of section subdivision (d) of 148, 240, 241, 242, 243, 244.5, 245, 245.5, 246.3, 247, 273.5, 273.6, 417, 417.6, 422, 12023, 120024, and 12034 (for the complete list see 12021(c)(1)) and
  - 3) Who within ten years of the conviction, owns, purchases, receives, or has in his or her possession or under his or her custody or control, any firearm is guilty of a public offense, which shall be punished by

Imprisonment in a county jail, not exceeding one year or in the stated prison, or by a fine not exceeding one thousand dollars (\$1000), or by both that imprisonment and fine

- 4) PC section 12025(b)(3), gang member with a gun, felony:
  - a) The arresting officer must show possession of the gun and
  - b) The suspect is a gang member and
  - c) The suspect possesses the gun to benefit, further, or in association with the gang
  - d) Testimony by a gang expert in court will be insufficient, will need some physical evidence (suspect statements during crime or during arrest, gang clothing etc)
- 5) An alternative to PC section 12025(b)(3):

PC section 12031(f), possession of a loaded firearm where the person is not listed with the Department of Justice pursuant to Section 11106, as the registered owner of the pistol, revolver, or other firearm capable of being concealed upon the person, by imprisonment in the state prison, or by imprisonment in a county jail not to exceed one year, or by a fine not to exceed one thousand dollars (\$1000) or both that fine and imprisonment

- 6) What is needed for a felony?
  - a) The gun does not have to be concealed
  - b) Does not have to be registered
  - c) Is in a vehicle or on a person
- 7) PC section 12025(b)(6): possession of a firearm not loaded
  - a) Carries concealed within any vehicle, which is under his or her control or direction, any pistol, revolver, or other firearm capable of being concealed upon the person
  - b) Is punishable by imprisonment in the state prison, or by imprisonment in a county jail not to exceed one year, by a

fine not to exceed one thousand dollars (\$1000) or by both that fine and imprisonment if both of the following are met:

- (1) Both the pistol, revolver, or other firearm capable of being concealed upon the person
- (2) And the unexpended ammunition capable of being discharged from that firearm are either in the immediate possession of the person or readily accessible to that person

## 12. The STEP Act: Changes to Penal Code section 186.22

### a. What is the STEP Act?

- 1) California legislature passed the original Street Terrorism and Prevention (STEP) Act in 1988; took effect on September 26, 1988
- 2) It has undergone major revisions through both the legislative process and proposition 21, which took effect on March 8, 2000
- 3) It provides law enforcement and prosecutors with powerful tools to deal with gang violence through gang enhancements

### b. Basics of Penal Code Section 186.22

1) Has four distinct subsections that provide criminal liability when the crime is committed for the benefit of a gang with the specific intent to further gang conduct (186.22(a), 186.22(b)(1), 186.22(b)(4), 186.22(d))

2) Subsection (a) is a wobbler and carries a one year county jail term or 16 months, 2, or 3 years in state prison

3) The gang member must:

a) Actively participate in a street gang

b) With knowledge that the gang engages in a pattern of criminal activity, and

c) Willfully promote, further or assist in criminal conduct by gang members

4) 186.22(a) Proving this section has been difficult in the past;

a) The court imposed definition of "actively participate"

b) It required that the gang member spend a substantial part of his time as a gang member

c) But because of Prop 21 - It specifically eliminated this requirement. Now, active participation in the criminal street gang is all that is required

d) A conviction may now be obtained without proving that the defendant is a gang member. Practically speaking, however, the defendant will be a gang member

e) Section 186.22(a), the knowledge requirement is difficult to prove

It requires direct or circumstantial evidence showing that the gang member knows what his fellow gang members are doing

5) Section 186.22(b)(1)

a) This does not require that the gang member knows what his fellow gang members are doing

b) Does require specific intent to promote, further, benefit ...

c) This section adds 2, 3, or 4 years imprisonment for any felony related to gang activity, and 5 years for any serious felony, and 10 years for any violent felony

d) This should be the prosecutor's first option because it is easier to prove and adds a substantial amount of time of imprisonment, however, it should start with the arresting officer(s) to suggest these additional charges

e) Thus, charging a violation of section 12031(a)(2)(C) is a last resort

f) An alternative to 12031(a)(2)(C) is 12031(a)(2)(F) which makes possession of an unregistered, concealed, or loaded firearm a felony

g) Simply put, gang members rarely possess registered firearms. So, adding 186.22(b)(1) to the unregistered firearm charge will result in an additional 2, 3, or 4 years to the sentence

h) When the defendant is on juvenile probation, charge PC12021(e) which makes such a gun possession a felony

(1) If you charge the gun possession as a misdemeanor, add section 186.22(a)

(2) If the charge is section

(d) 12025(b)(6)(B):

The person is not listed with the Department of Justice pursuant to paragraph (1) of subdivision (c) of section 11106, as the registered owner of that pistol, revolver, or other firearm capable of being concealed upon the person

(e) 12031(a)(2)(F), or

Where the person is not listed with the Department of Justice pursuant to section 11106 as the registered owner of the pistol, revolver, or other firearm capable of being concealed upon the person by imprisonment in the state prison, or by imprisonment in the county jail not to exceed one year, or by a fine not to exceed \$1000, or by both that fine and imprisonment

(f) 12021(e)

Any person (1) who is alleged to have committed an offense listed in subdivision (b) of section 707 of the Welfare and Institutions Code

(3) Adding section 186.22(b)(1) will impose additional time

6) Section 186.22(b)(4)

a) Results in a sentence of 7 years to life for

(1) Gang extortion (as defined in PC 519)

(2) Witness intimidation (PC 136.1)

b) Results in a sentence of 15 years to life for

(1) Gang home invasion robbery (PC 213(a)(1)(A))

(2) Car-jacking (PC 215)

(3) Shooting at an occupied vehicle or building (PC 246)

(4) Discharging a firearm from a vehicle resulting in great bodily injury (GBI) or death (PC 12022.55)

7) Section 186.22(d)

a) Makes a misdemeanor committed for the benefit of a gang, such as tagging, a wobbler

b) It carries a mandatory minimum sentence of 180 days

c) It tracks, word for word, the language of section 186.22(b)(1)

d) It can be useful in a case where a gang member tags but the damage is less than \$400 (Prop 21 lowered the felony threshold of PC594(b)(1) vandalism to \$400 from \$5,000)

e) It can also be used in the case of a gang fight resulting in battery or gang graffiti regardless of the amount. If the gang element is present, could be charged as a felony

13. Section PC 12022.53 in gang cases, "vicarious liability" under section 12022.53

a. Where a subsection (a)(1) murder, (a)(2) mayhem, (a)(3) kidnapping, (a)(4) robbery, (a)(5) car-jacking, (a)(7) assault with a firearm on a peace officer, or (a)(17) any attempt of the same is committed using a firearm by a gang member, the penalty is:

1) For display of a firearm: 10 years

2) For discharge of a firearm: 20 years or

3) For causing death or GBI with a firearm: 25 years to life

b. If section 186.22(b) is proven all the principals get the same enhancement whether or not the principal personally used the firearm (PC 12022.53(e)(1))

c. Example: If two gang members rob a person and one gang member displays a gun, both gang members get an enhancement of 10 years

d. Example: In a drive by shooting where no victim is shot, the driver, all non-shooting passengers and the shooter get a 20 year enhancement. If a victim is shot, the enhancement will be 25 years to life. The vicarious liability applies to the aider and abettor even if the shooter is acquitted

14. CLOSING: Reinforce key learning points

- a. Using the gang member gun laws such as 12031 PC and 12025 PC as enhancements results in longer sentences for violent criminals
- b. The PC 186.22 sections can enhance gang members' sentences significantly
- c. PC 12022.53, vicarious liability, makes every gang member involved in a crime liable for the actions of the primary individual

## C. GANG INJUNCTIONS

### 1. Gang injunctions

(117c)

**2. Definition: A preliminary or permanent injunction issued in a civil case against a criminal street gang and its members enjoining certain behavior, like associating in public, trespass and curfew, within a defined Safety Zone, in order to abate a public nuisance caused by the conduct and activities of that gang**

### 3. Legal theory behind gang injunctions

#### a. Definition: Public nuisance

**1) People must control their own actions so as not to unreasonably interfere with their neighbors' civil rights to enjoy their own lives and to enjoy their own property**

**2) Public nuisances affect the entire community, not a neighbor versus neighbor private dispute**

**3) Street gang's conduct impacts the entire community**

#### b. Examples of nuisance behaviors

**1) Interfere with the comfortable enjoyment of life: murder, battery, shots fired, living in fear**

**2) Interfere with the comfortable enjoyment of property: robbery, grand theft auto, driving without consent, burglary from motor vehicle, graffiti**

**3) Illegal sale of controlled substances**

**4) Injurious to health: battery, assault with a deadly weapon, rape, murder**

**5) Indecent or offensive to the senses: urinate in public, litter**

**6) Obstruction to free use of property: the front yard is too dangerous to use**

**7) Unlawful obstruction of free passage or use of any public park or street: blocking the sidewalk**

#### c. Street Terrorism Enforcement and Protection Act (STEP Act) crimes constitute nuisances:

**1) Murder, robbery, assault with a deadly weapon, 246PC, 136PC, narcotics sales, etc**

**2) But not all crimes: driving with a suspended/revoked license, 148.9PC**

#### d. Vandalism

**1) Damages property**

**2) Causes fear: crossing out other gang's tagging**

**3) Threat to life (187PC) by one gang to another, crossing out another gang's tagging out is a "capitol" crime for them**

### 4. Gang injunctions: The legal remedy to a nuisance

**a. Prove that the nuisance exists in a civil court**

**b. If the nuisance is continuing**

**c. If there is no adequate remedy at law, in other words, the problem will continue if there is no injunction**

**d. An injunction**

- 1) **Is a court order**
- 2) **Seeking to abate the nuisance**
- 3) **By enjoining the precursor activities that lead to the nuisance behavior**
- e. **Precursors to the nuisance behavior:**
  - 1) **They can be otherwise “innocent” behaviors which evidence has shown tend to lead to nuisance behaviors**
  - 2) **These “innocent” behaviors can be enjoined in the injunction**
  - 3) **Example: Harbor City Boys have an injunction that states that they cannot associate in public**
    - a) **Evidence was provided to the court that in the past this behavior has lead to the predicate crimes**
    - b) **The members will hang out, run out of money for beer, do a side walk robbery**
    - c) **Later on that night they will get angry because of some perceived disrespect by another gang**
    - d) **Then do a drive by shooting on that gang or at least put more graffiti on a wall**
    - e) **Another potential problem with these gang members associating in public is that they become drive by shooting targets for other gangs**
  - f) **So, the Harbor City Boys “hanging together” is a cause for nuisance behavior even though they were the victims**
- f. **Basic gang injunction provisions**
  - 1) **Do not associate with each other gang members**
  - 2) **Do not intimidate (136PC) other gang members or community members**
  - 3) **Do not possess guns or other dangerous weapons**
  - 4) **Stay away from illegal drugs**
  - 5) **Stay away from alcoholic beverages**
  - 6) **Do not trespass**
  - 7) **Obey curfew (adults and juveniles: 2200 hrs)**
  - 8) **Obey all laws**
- g. **Limits on injunction provisions**
  - 1) **It has to be a prohibitory injunction: Don’t do this**
  - 2) **Not a mandatory injunction: you must do this**
  - 3) **There must be evidence to support the injunction**
  - 4) **There must be an explanation as to why the injunction is needed**
- h. **The gang itself is the civil defendant**
  - 1) **Modern gang injunctions can name the gang itself as the only civil defendant**
  - 2) **Any injunction binds “all those through whom the enjoined entity might act”, some gang members may be in prison, but will get out sometime**
  - 3) **A gang injunction binds defendant gang and all its members**
  5. **A gang injunction is not:**
    - a. **A “stay away” or banishment order**
    - b. **Effective outside the “safety zone” which it specifies**

- c. **Not valid inside a home, gang members can live there**
- 6. **The constitutionality of injunctions in California**
  - a. **People versus Acuna**
    - 1) **Victims and the rest of society have rights, not just criminals**
    - 2) **There is no 1<sup>st</sup> Amendment right of gang members to associate**
    - 3) **Gang injunctions target specific, limited areas based on past conduct**
    - 4) **Provide the defendants with the evidence and allow them their day in court**
  - b. **An injunction is not a city ordinance**
    - 1) **Chicago versus Morales**
- 7. **Injunctions are “Good Policy”**
  - a. **Gang member: “don’t associate together”**
    - 1) **A young or new to the gang member hangs out with the gang and the pressure is on them to do something to gain respect in the gang, leading to the nuisance behaviors/predicate crimes**
    - 2) **“Junior could use the discipline of a gang injunction to stop hanging out with these bad influences!”**
    - 3) **“Two big dudes flashing C and P for “Canoga Park gang”**
  - b. **They can help outreach efforts be more effective**
    - 1) **Homeboy Industries head; Father Greg Boyle from the Los Angeles Times, July 18, 2003**  
**“[E]ight minutes after one (injunction) was filed here, I had kids in my office...”, “[A]n injunction creates a kind of vigilant heat that moves kids towards the light”**
- 8. **What to do if you get an injunction?**
  - a. **Criminal contempt of a court order**
    - 1) **Violation of a court order**
    - 2) **166(a)(4)PC**
    - 3) **A misdemeanor**
  - b. **Civil contempt of a court order**
- 9. **166(a)(4)PC: The elements of the crime**
  - a. **A lawful order was issued**
  - b. **Defendant is subject to it (is a member of the enjoined gang or is a named individual civil defendant)**
    - c. **Defendant had “notice” of it**
    - d. **Defendant violated the order**
- 10. **Service of an injunction**
  - a. **Proof of service form**
    - 1) **Attach photo**
    - 2) **Include identifier (CII or CalGang number)**
  - b. **Record of service form: document exactly what the gang member said when he was served**

- c. Which gang members to serve
  - 1) Under modern practice gang injunctions bind all “members” of the gang
  - 2) Gang officers should consult with the injunction attorney and select which gang members to serve
  - 3) Use “Downtown Los Angeles Jury” standard:
    - a) Have a photo of the gang member flashing their hand sign
    - b) Not just an entry in CalGang
- d. For specific divisions: Hollywood, Rampart, and Wilshire
  - 1) If the gang is Mara Salvatrucha even though three divisions are involved it is one case

Suggest that you share p/s lists

  - 2) If the gang is 18<sup>th</sup> Street each of the three divisions has its own case
    - a) Use the “three in one” form
    - b) Distribute the p/s to each division via interoffice mail
- 11. Gang injunction violations
- 12. Arrest report 166(a)(4)PC should include:
  - a. The injunction is a lawful order: Include when/where order was granted, the safety zone area(s), the order’s prohibitions
  - b. A copy of the injunction order
  - c. A section on “subject to” with a detailed list of the membership
  - d. A section on “notice” with who served the order, when it was served, and copies of the service documents
  - e. The violation: the elements of the crime thoroughly documented

Example: An officer stops a gang member for a curfew violation and asks communications for a time check in order to have a record of the crime

  - f. Obtain an arrest report exemplar from the injunction attorney
  - g. Speak with the 166 prosecutor for your injunction only regarding the details of the arrest report. Each injunction is different; read the original court document
    - 1) Who is bound?
      - a) All members?
      - b) Are there any named defendants?
    - 2) Where is the “safety zone”? Are there any areas cut out/excluded from the zone?
    - 3) What behaviors are prohibited (the provisions)? Know the exact language used
- 13. Injunction enforcement: lessons learned
  - a. An injunction is not probable cause
  - b. The violation must be seen by the officer
  - c. The officer must know that the suspect has been served
- 14. Steps to take in order to get an injunction
  - a. Continue to “work” (gather intelligence) your gang, document everything

- b. If your gang is a “good target” get an injunction attorney
- c. Collect “party photos” of gang members, these are usually kept by girlfriends of the gang member
- d. Select an appropriate “target” (gang). One which is violent and turf (area) based
  - 1) Commits crimes in own turf
    - a) Street narcotics sales
    - b) Sidewalk robberies
    - c) Vandalism, tagging
  - 2) Has a clearly define, well established turf or safety zone
  - 3) Pictures are worth 1,000 words

**15. CLOSING: Reinforce key learning points**

- a. Gang injunctions are civil court orders prohibiting certain conduct by gang members that might lead to criminal behavior
- b. A “good target” is a violent, turf based street gang committing crimes such as theft, narcotics sales, violence in public and in their own turf
- c. Prepare for a gang injunction by gathering as much intelligence as possible and document it
- d. Enforce an injunction by first contacting the local 166PC prosecutor
- e. Every injunction is different. Read yours carefully

**D. GUN LAW UPDATE**

**1. Detective Support Division, Gun Unit**

- a. The unit has be in existence since the mid 1980’s, three and a half years ago there were only five people in the unit and now there are 18
- b. When to notify the unit to respond to a location
  - 1) Large gun seizures
  - 2) Domestic violence radio calls where a large guns are going to be confiscated
  - 3) The reason for this is people who have a lot of guns usually have guns that are restricted
  - 4) The expertise in the unit can help identify these weapons that are a felony to possess if it’s unregistered
  - 5) Notify the unit if you come across a machine gun or an “autoseer”
    - a) To have one is the same as possessing a machine gun
    - b) They are used to make certain guns, such as an AR-15, fully automatic
  - 6) Grenade launchers
- c. The unit will respond to a call on weekends and nights. The Command Post will contact the unit or one of several people who can respond at any time. Office number 213 473 7351
- d. Other things to look for that the unit would be interested in:
  - 1) Clear evidence of gun trafficking
    - a) Papers/gun documents laying around the scene
    - b) Empty gun boxes
  - 2) Gang member with a gun, with a prior conviction

Can assist on obtaining a search warrant for gang members residence

e. Several members of the unit are part of a task force with Bureau of Alcohol, Tobacco and Firearms (ATF). If ATF is needed at a call contact the unit first and we will contact ATF

f. ATF specialize in the federal gun laws but not state laws

1) ATF may conclude that a certain weapon is legal to possess with regard to federal laws

2) However, state law may deem that weapon a felony to possess

3. Gun law update

a. SHOW: SKS rifle

1) Restricted version:

2) Not restricted version: fixed, 10 round magazine

b. DISTRIBUTE: Assault Weapons Identification Guide

c. SHOW: Autoseers

It is a felony to possess these, the entire assault gun is not necessary for the arrest

d. Prohibit possessors, 12316(b)(1) PC; a wobbler but a felony arrest:

1) Ammunition, strip clips, magazines, autoloaders

2) SHOW: Strip clips; these are easy to miss when searching a vehicle or house

3) SHOW: Tracer ammunition; a destructive device, is coated with orange paint

4) SHOW: A cut out. This is a machine gun even though it doesn't look like one. It is a felony to possess this

5) SHOW: Autoseer for a high powered Browning

Gang members can be seen with these on a chain, around their neck

e. The suspects this unit usually deals with are upper and upper, middle class with a clean criminal record

1) They can buy large quantities of weapons from the manufacturer and then sell them to gang members

2) When you come across someone with a large quantity of guns, ask them about their guns, they love to brag about them

3) Amongst his/her weapons there will be a number of "throw aways" which wind up on the streets

f. SHOW: 20 round fixed magazine for the SKS

It has the communist star

g. SHOW: 22 cal.

1) It is an assault weapon

2) It is a rim fire:

3) Has a threaded barrel

4. If you buy a gun from a friend you are required by law to take it to a licensed gun dealer and complete a "dealer record of sale"

If this is not done it is a felony for a handgun and a misdemeanor for a long gun

5. California firearm laws: [www.ag.ca.gov/](http://www.ag.ca.gov/), 65 pages long

6. Now peace officers can carry a weapon in all states, it is important to have a good, secure gun case. Peace officers guns are being stolen from luggage

**a. Get a Transportation Security Agency (TSA) approved lock and then the case can be kept locked when travelling. The inspectors have a special key to open the case**

**b. DISTRIBUTE: TSA Approved Lock Box Companies handout**

**E. POLICIES AND PROCEDURES**

1. Overview the importance of following policies and procedures. These processes serve to improve our work product and ensure integrity

2. Overview of the responsibilities of Areas, Audit Division, Civil Rights Integrity Division and Bureau Gang Coordinators in auditing and inspecting Gang Enforcement Details and Gang Impact Teams to ensure compliance

3. Responsibilities

a. Supervisors - Thorough review of the work product of all personnel to ensure accuracy, completeness, thoroughness, and procedural compliance

b. Area - Internal inspections and audits

c. Bureau - Bureau Gang Coordinator conducts inspections and audits

d. Audit Division - Regular and periodic audits including GIT/GED as one stratum

e. CRID - Regular and periodic inspections of GEDs

4. Most recent Kroll Independent Monitor reports, the monitor found the department in functional noncompliance with a number of procedures:

b. Basic report completion and review

c. Selection and Extension of GED personnel

d. Arrest Reports and Booking Recommendations

e. Completion of Sergeants Logs/GED Supervisors Daily Reports

f. Completion of DFARS, Daily Worksheets and Vehicle and Equipment Sign in/Out Sheets

g. Completion of Detention Logs

h. Warrant Packages and Tracking Logs

5. Explanation of nondiscrimination policy and motor vehicle and pedestrian stops

a. Prohibition of discriminatory conduct on the basis of:

1) Race

2) Color

3) Ethnicity

4) National origin

5) Gender

6) Sexual orientation

7) Disability

6. LAPD officers may not use the above in conducting stops or detentions except:

When engaging in appropriate suspect-specific activity to identify a particular person or group

**(103)**

7. All field personnel are strongly encouraged to carry and use personal tape recorders, ensure they have completed necessary documentation to authorize use and ensure tape recorded contacts are properly documented on a DFAR

8. Observations Points/Post

a. O.O. #2, Feb. 2000 addresses only narcotics OPs, not OPs conducted for purposes of intelligence gathering for which no prohibitions have been established

b. Uniformed officers involved in narcotic observation points (OPs) shall have prior approval of the Area watch

commander

- c. All narcotic OP operations shall have supervisory oversight with a tactical plan in place
- 9. Informants
  - a. Use of informants is limited to non-uniformed assignments
  - b. A uniformed officer who comes in contact with a potential informant shall refer that person to the appropriate investigative entity
  - c. Evidence Code Section 1042(b) allows information received from an informant used to establish probable cause to be used without revealing the identity of the informant when a search is made pursuant to a search warrant
  - d. Utilize the Department Informant Manual, which establishes Department wide standards for development, use, and maintenance of informants
  - e. Any deviation from the Informants Manual in areas that are required by the Consent Decree must be approved in writing by the Chief of Police
- 10. Non-Informant Sources of Information
  - a. Police officers routinely receive information regarding suspicious activity from a variety of sources.
  - b. Sources may be concerned community members who observe unusual activity and report it.
  - c. This type of communication between officers and the community is entirely consistent with our community policing philosophy
  - d. Generally this type of communication does not constitute receiving information from an "informant"
  - e. The person is simply providing general information, which must be verified independently by the officer

#### **IV. INFORMATION SOURCES AND CASE DEVELOPMENT/MANAGEMENT**

##### **A. CALGANG UPDATE**

- 1. Los Angeles street gangs; 1253 street gangs, with 81,023 gang members
  - a. Crips: 225 gangs; 16,755 members
  - b. Bloods: 73 gangs; 7,160 members
  - c. Hispanic: 565 gangs; 47,425 members
  - d. White: 18 gangs; 865 members
  - e. Asian: 83 gangs; 2,404 members
  - f. Taggers: 121 gangs; 1,069 members

##### 2. LAPD homicides

Year	Gang related	City wide
2000	332 (60%)	551
2001	347 (58%)	597
2002	350 (54%)	645
2003	295 (50%)	517
2004	295 (58%)	515
2005	31 (47%)	68

##### 3. The concept of LARGIN

- a. It is a LA CLEAR initiative
  - 1) LA CLEAR is:
    - a) A clearing house on street gangs
    - b) In existence since 1990

- c) Used by narcotics officers
- d) Has analysts, a war room, a wire room
- 2) The data comes from multi-jurisdictional sources
  - a) Gang members are crossing boundaries
  - b) We need to be able to track their movements
- 3) It enhances officer safety in LA county by posting gang operations with the LA CLEAR war room
  - a) If you are serving a search warrant or have an under cover operations, observation post set up you shall call the war room to post your operation
  - b) Avoid any conflicts with operations by other agencies (800 LA CLEAR)
  - c) They will call you back if there is another operation within 1000 yards of you
  - d) There have been instances where an under cover officer sells narcotics to an under cover officer from a different agency
  - e) There are 413 agencies posting with LA CLEAR and many operations going on at any time
- 4) It is a one stop location for gang information
  - 5) Uses a staff of sworn personnel on loan from the Los Angeles Sheriff's Department (LASD) and LAPD as well as State Criminal Intelligence Specialists (CIS)
  - 6) Provides case analysis on a county wide basis
  - 7) Utilizes mapping as part of CalGang
    - a) Can determine activity trends, i.e. where certain crimes are happening vs. where the FIs are being written
    - b) Allows for focused deployment
    - c) Provides first true picture of gang crime

**b. How LARGIN will work**

- 1) Utilize a common Memorandum of Understanding (MOU) for all agencies within Los Angeles county to capture the thirteen most serious gang crimes, based on a common definition of "gang crime"
- 2) Provide the analytical support necessary to complete the mission
- 3) There are 47 agencies in the county
  - a) 41 agencies have signed an agreement to participate in LARGIN/CalGang
  - b) The Chiefs of Police have agreed that their personnel will put all the crimes that are on the list of the 13 serious gang crimes, which occur in their jurisdiction into the CalGang System
- 4) LARGIN will provide the necessary training and analytical support free of charge

**c. Various systems that LARGIN accesses**

- 1) Entersect: Public information database; names, addresses, phone numbers, social security numbers, cell phone numbers - can get the subscriber's name and the city that the phone was issued in
- 2) Lexis Nexis:
- 3) Auto Track
- 4) EPIC: El Paso Information Center; Example: Officers get information that a 187 suspect bought a car in San Diego and is expected to cross the border into Mexico. They also have the license plate number of the car
  - a) The staff at the border write down the license plate on each car that crosses the border and send the information to EPIC
  - b) The officers contact LARGIN and a CIS enters the information into the EPIC system. EPIC calls the CIS and says that the suspect/car is crossing the border every day at the same time
  - c) The officers just went and waited for the suspect to cross the border and arrested him

5) RISS Net: can check if a suspect is being stopped by law enforcement in another state

6) Cal Photo: The most recent photos of suspects

7) JDIG: The same as LAPD's NECS system for running criminal histories

**d.** Required LARGIN gang related crimes

1) Homicide

2) Attempt homicide

3) Felony assault

4) Assaults of peace officers

5) Robbery

6) Shooting at an inhabited dwelling

7) Kidnap

8) Rape

9) Arson

10) Witness intimidation

11) Extortion

12) Car-jacking

13) Narcotics violations

14) It is not limited to this; it is suspected that a ring of burglars in the West LA area are gang members, so, the officers are entering all the burglary information into CalGang

4. Getting started in Case Management (slide of a screen in the program)

**a.** Example: An investigation leads to a possible suspect with the moniker "Rabbit". The witness states that "Rabbit" was arrested last year by LASD-Century

**b.** "By suspect name" screen, If "Rabbit" is entered on this screen the results will be about 100 suspects

**c.** Use "Find Case" instead. This search only results in two possible suspects

**d.** Case management versus intelligence module

1) Case management info is public information

2) No five year purge

3) The information in case management may not be on the intelligence side

4) Different results, RHD was investigating a serial killer and couldn't find him in CalGang, was found in case management

**e.** Example: A query is run to find out what crimes the Bounty Hunter Bloods and the PJ Crips (normally Southeast Div gangs) have been committing in the LASD - Century area between 12/01/04 and 02/15/05

1) First search by gang, which shows three crimes with some named suspects

2) Find case; by suspect/victim screen

3) Or select case by gang screen

4) By vehicle

a) By date

b) By agency

c) By vehicle descriptors

d) By plate or partial plate

e) By gang known to drive vehicle

5) We know the suspect was driving a car with a partial plate of "4K"

Case management shows that a man in Carson was arrested and was driving a car with "4K"

6) Example query: all gang homicides in the City of Los Angeles for the month of January 2005 (homicide by gang)

**f.** Case log report

1) Purpose: A catch all sort of report that shows everything that is happening in your division

2) By date range

3) By reporting districts of agency/facility

4) Report of all documented gang crime in the area

5) All crimes by suspect or victim gang or by investigator

6) A query and the result of all crimes in 77<sup>th</sup> Div for the month of January 2005 are as follows:

a) Define case log report

b) Case log report s

5. Mapping integrates Case Management and CalGang

**a.** Define crimes report

**b.** Select case by crime

**c.** Example maps: LAPD - Rampart October 1 to November 1, 2004, 211s and FIs

**d.** LAPD - Rampart October 1 to November 1, 2004, 245s and FIs maps

From here you can use the View Case screen: date, time, investigator, victim, suspect, location, gang affiliation, vehicles involved

**e.** Example: The investigator states that the suspect is an unknown male Hispanic and is believed to be a member of Crazy Riders

1) Plot all Crazy Riders Gang Members residing or have been FI'd within a mile of 667 S. Carondolet Av., Los Angeles

2) It shows that there is a Crazy Riders gang member who lives two blocks away from where the crime occurred

3) Now go to View Subject - member screen, and get the details on the gang member

**f.** Defining a management area for a report

1) Mapping allows a user to outline an area

2) Crosses jurisdictional boundaries

3) Housing projects

4) Parks

**g.** Sample map: management area of Knickerson Gardens with all the Bounty Hunters gang members living in the area is defined

1) A map of all the crimes that occurred in that area in the past month can be created

2) From there all the details on the crimes can be obtained

**h.** Mapping allows for the analyst to extract data from CalGang in a new way and, in turn, further develop leads for the investigator

**i.** Link diagrams, charts and analysis: Operation Tres Casas

1) Enter all the times, locations, and other specifics of the under cover buys in a location within a time period

2) Results show a diagram of photos/names of all the individuals involved in the buys and how they are connected to one another

6. Pictometry
  - a. Enter the address of the house in question and get views from above and different sides of a house
  - b. The photos are from an oblique perspective and the CIS can measure heights of fences and walls, etc.
  - c. Can plan how a night time operation will go with the details of the location
  - d. The photos may be two or three years old and the location may have changed
7. Facial recognition: uses only three points on a face and does not take into account any other descriptors

Facial recognition results screen - six subject photos

8. Contact information
  - a. **DISTRIBUTE:** LARGIN pamphlet
  - b. LARGIN; 5700 S. Eastern Av, Commerce, CA 90040-2924  
telephone (323) 890-0622, fax 323 890 0622
  - c. Det Angie Serratt (323) 890-0613
  - d. Sgt Anthony Rivera (323) 890-0614
  - e. CIS Jennifer Fletcher (323) 890-0612
  - f. CIS Fran Lamangan (323) 890-0611
  - g. CIS Courtney Goodman (323) 890-0615
9. CLOSING: Reinforce key learning points
  - a. LA CLEAR coordinates operations from multiple agencies and it is important to inform them of all operations a gang unit plans
  - b. LARGIN is a gang information clearing house with information from multiple agencies
  - c. Using Case Management with a gang unit's operations can greatly increase its effectiveness
  - d. LARGIN Mapping integrates Case Management and CalGang system
10. Parole/LEADS
  - a. When used
  - b. Why and how
11. COPS (Condition of Probation System)
12. CAL/Photo Id

## **B. NARCOTICS AND FLYER PARTIES**

### **1. Cocaine**

#### **a. Central nervous system stimulant**

##### **1) Methods of ingestion**

##### **a) Snort powder**

**(1) Not seen very much now**

**(2) Seen in Hispanic bars**

##### **b) Inject liquid (common in the 1970s and early 1980s)**

##### **c) Smoke rock**

##### **2) Cocaine: Rock or powder**

**a) Photo: "Rock" house, place where rock cocaine is made and some cocaine wafers**

**b) Photo: Jars of rock cocaine seized during a search warrant in a South Bureau division- was to be**

**sold in MacArthur Park, Rampart Div**

- c) If the size or shape of the wafers is not right it will be "cooked" again and allow to dry**
- 3) Probable place to find cocaine: Newer vehicle in poor neighborhood with a gang member in it, who is known to not have a job**
  - a) Hidden compartment in car, but very difficult to find**
  - b) Usually electronically activated**
  - c) Officer is advised to attempt to get a narcotics K9 unit to respond**

**2. Heroin**

- a. Central nervous system depressant**
  - 1) Duration of euphoria (high) is 4 - 6 hours**
  - 2) Made from the opium poppy**
  - 3) Imported from southeast Asia, middle East, and Mexico**

**Most of Los Angeles's heroin is coming from Mexico**

**4) Methods of ingestion:**

- a) Smoked**
- b) Injected**
- c) Snorted**
  - (1) Gang members are not usually snorting**
  - (2) More common in the Hollywood night club crowd**

**b. Types/grades of heroin**

- 1) China white: Most pure form, not seen in Los Angeles but is on the east coast**
- 2) Mexican brown: The next purest form**
- 3) Black tar: Street slang is "chiva", cut with brown sugar, cornstarch**

**c. Methods of ingestion**

- 1) Smoking: Street slang "chasing the dragon"**
  - a) Place heroin on a piece of foil**
  - b) Heat it from below**
  - c) Inhale fumes through a straw**
- 2) Injection: Predominantly abused by the older Hispanic gang members**

**d. Packaging:**

- 1) Balloons: Small amount, \$5 to \$10 worth**
- 2) small plastic bags**
- 3) clear cellophane**
- 4) Has the odor of vinegar**

**e. Symptoms of being under the influence of heroin**

- 1) Low raspy voice**
- 2) Poor motor coordination**

3) **Drowsiness: Street slang "on the nod"**

4) **Pinpoint pupils**

f. **Identification in the field**

1) **Photo: 2 ounces of tar heroin**

2) **Photo: Mini coffee grinder: used to blend tar heroin with various "cuts" (fillers)**

3) **Photo: Heroin seizure from search warrant in Northeast division 2003**

**To be sold in Central division which has a large population of heroin users**

3. **Phencyclidine (PCP)**

a. **One of the more dangerous drugs to encounter in the field**

1) **User is unpredictable**

2) **Sometimes very violent**

b. **A dissociative anesthetic**

1) **Originally used by the military field hospitals as a local anesthetic**

2) **All PCP seen on the street is produced in clandestine labs**

3) **The all of the PCP on the west coast is produced by members of black gangs in Los Angeles**

c. **Often seen during parole searches**

d. **Forms found in**

1) **Tea or mint leaves with PCP on them, packaged in foil**

2) **Liquid form in glass jars**

3) **Amber colored vials**

4) **Powder form: Rare**

e. **Methods of ingestion**

1) **Smoked by soaking mint leaves with liquid PCP dried on it**

2) **Dipping cigarettes in liquid PCP, "Sherman" brand cigarettes with thick, brown paper**

3) **Ingesting a small amount of PCP produces a similar high from smoking a large quantity of Marijuana**

f. **Symptoms of being under the influence of PCP**

1) **A high lasting 4 - 6 hours**

2) **User has a high pain tolerance, not extremely strong**

3) **Other visible symptoms**

a) **Agitation**

b) **Aggressive behavior**

c) **Blank stare**

d) **Muscle rigidity**

e) **Perspiration**

g. **Field identification and packaging**

- 1) **Odor of ether**
- 2) **Normally found in small amber colored vials**
- 3) **Discolored cigarettes which have possibly been dipped in PCP**
- 4) **In small jars filled with mint or tea leaves**
- a) **Found in refrigerators**
- b) **The leaves may be wet**
- c) **Be careful not to get it on skin**
- d) **Can enter the body: Transdermal**
- h. **SHOW Video: Arrest of suspect who is on PCP**

**Male suspect walking with blank stare, not responding to officer's questions. One officer handcuffs the suspect and they walk him to a police vehicle. Another officer shines a bright light in the suspect's eye. The suspect suddenly jerks away from the officers and attempts to flee. He is subdued by several officers**

#### **4. Methamphetamine**

##### **a. A central nervous system stimulant**

- 1) **1 gram = 10 to 20 "hits" (doses)**
- 2) **Duration of high is 6 to 12 hours**
- 3) **Made from ephedrine, red phosphorous and hydriodic acid**
- 4) **Street slang: crystal, glass, meth, hydro, speed**

##### **b. Methods of ingestion**

- 1) **Smoked in crystal form: Slang Ice, crystal meth**
- 2) **Injected as liquid made from powder form**
- 3) **Snorted in powder form**

##### **c. Is a popular drug in the gang culture except black gangs**

##### **d. The difference between a "coke" (rock cocaine) pipe and a meth pipe**

- 1) **Coke pipe is a plain glass tube**
- 2) **Meth pipe is a glass tube with a bowl at one end**

##### **e. Before and after photos: A woman in 1998 and in 2002, 2002 photo shows a haggard face and messy hair**

**Instructor says "This is a test question." Instructor reads the choices and says "the answer is c) get a life**

#### **5. Flyer parties (117c)**

- a. **Organized parties at abandoned warehouses and similar places**
- b. **Flyers are handed out to potential party goers**
- c. **The flyer will give instructions to call a phone number or go to a location and meet someone**
- d. **The party goers will be checked to see if they are ok (not police) to go to the party**
- e. **There may be another step before the location of the party is given**
- f. **The party will have as many as 500 attending, teenagers and early twenties**
- 1) **Started in the Hispanic community**

- 2) Admission will be charged
- 3) Beer and other alcohol will be sold
- 4) Nitrous oxide (laughing gas) is sometimes sold in balloons
- 5) Rival gangs often show up and violence breaks out
- 6) Party goings get very intoxicated and become violent
- g. Very dangerous for officers
- 1) Get several units and a supervisor before attempting to shut down a flyer party
- 2) Be sure to provide an egress point to avoid having party goers crushed in a stampede
6. CLOSING: Reinforce key learning points

- a. Cocaine is a central nervous system stimulant which is smoked (rock form), injected or snorted (powder form). Pupils will be dilated
- b. Heroin is a central nervous system depressant which is smoked, injected or snorted and is usually found in the "tar" form in Los Angeles. Key symptom is pin point pupils
- c. PCP is usually in a dipped cigarette form or tea/mint leaves, and produces very unpredictable or violent behavior
- d. Methamphetamine is a central nervous system stimulant which is usually smoked and is made in clandestine labs from cold tablets
- e. Flyer parties are attended by hundreds of intoxicated individuals and can be very dangerous for officers

### C. INTELLIGENCE GATHERING AND DEBRIEFING

1. What is the Gang Intervention Team's mission? - reduce gang crime, as well as, adhere to the Consent Decree

2. Definition: Gang Intelligence:

The product resulting from the collection, processing, interpretation, analysis, evaluation, and interpretation of available information concerning gang activity

3. This block of instruction will cover

- a. Intelligence
- b. Interview techniques
- c. Interrogation techniques

4. Gangs are using the internet, use net news groups, this is all in the public domain and is readily acceptable, which will be one aspect of your intelligence gathering

This information source will help develop a plan of action and give leads that can be followed when a gang member is stopped in the field or is being interviewed/interrogated at the station

5. Interview techniques

a. Definition: Conversational, non-accusatory dialogue for the purpose of obtaining information from an individual

b. An interview is best conducted in a medium tone of voice utilizing smooth speech without a tone of skepticism

6. Interrogation techniques

a. Definition: A formal line of questioning of an individual who is suspected of committing a crime or who may be reluctant to provide answers to the investigator's questions

b. Prior preparation is essential to a successful interrogation

- 1) Have information that will put the suspect under stress
- 2) Control the atmosphere, in the field or in an interrogation room, set up to benefit you; the investigator
- 3) These are guidelines, when working in the field you will adapt them to your situation and the way you and your partner work
- 4) It is usually better to have one person do the interrogation, but this may not work best for your investigation
- 5) Some investigators prefer to be alone with the suspect and have it video taped, and others work better with a partner
- 6) It should be a one way conversation that is controlled by you along with the environment
  - c. It is important to remember that the "target" (individual who is being interrogated) is gathering information and making conclusions about you (the interrogator), as well
7. Verbal communication is supported or contradicted by nonverbal behavior
  - a. As anxiety in the suspect increases the behavior of the target becomes more revealing
  - b. These observable behaviors should be compared to baseline behaviors for interpretation
  - c. This can only be done if the interrogator has studied the target and knows the baseline or "normal" behavior, this is where preparation becomes the key to success
  - d. Example: For 10% of the population toe tapping is a normal behavior and so is part of the baseline for those individuals
8. Behavior symptom analysis
  - a. A suspect's demeanor during an interview or interrogation can give clues as to his or her truthfulness
  - b. It is an indicator of the progress the investigator should expect in obtaining information or a confession
  - c. "Fight or flight" stress syndrome
    - 1) Verbal and nonverbal behaviors
    - 2) Nonverbal is more reliable than verbal with the exception of suspect's who are aware of and can control the nonverbal behaviors
9. Observing nonverbal responses to questioning
 

The students get into pairs to observe nonverbal behaviors on one another

  - 1) Half of the students face the screen and the other half face away
  - 2) The student facing the screen will ask his/her partner the question that comes up on the slide
  - 3) The student who asks the question will observe their partner's nonverbal response to the question
  - 4) The person being asked the question should not actually answer the question
  - 5) The students switch roles and repeat the exercise three more times
10. Ask the students if they observed any nonverbal responses to the questions
  - a. This change from baseline behavior can give an investigator clues as to if the suspect is being deceptive or not
  - b. Why do we react to questions like that? It is a natural reaction to stress
  - c. The nonverbal reaction is always going to be a better indicator than the verbal reaction
11. Behavior symptom analysis, the investigator's role

12. **The behavior of the investigator influences the behavior of the suspect**
  - a. **Proxemics: Personal space, 15 feet to 0-18 inches, this can be used to increase the stress on the suspect**
  - b. **Eye contact**
    - 1) **In some cultures it's considered disrespectful to maintain eye contact for long periods of time**
    - 2) **And the opposite is true of other cultures**
  - c. **Tone of voice**
  - d. **Posture**
13. **The investigator should control the environment of the interview or interrogation**
  - a. **In the field:**
    - 1) **Officer safety is the first consideration**
    - 2) **Take into account the suspect's behavior during prior contacts**
  - a) **Proxemics**
  - b) **Eye contact**
  - c) **Tone of voice**
  - d) **Posture**
  - b. **In an interview room**
    - 1) **Set the furniture up in the room so the suspect's non-verbal behaviors can be easily observed**
    - 2) **Ensure there are no barriers to communication**
14. **Baseline behavior is established over a period time with multiple contacts with an individual**
  - a. **Then when their behavior deviates from their baseline during an interrogation the investigator will notice**
  - b. **This is how to know your target**
  - c. **This is done by preparing for an interview/interrogation and knowing the gang member, the specifics of the crime, the witnesses, the victim**
  - d. **Without this even the best interrogation techniques will not be successful**
15. **Control the environment of the interview/interrogation**
  - a. **Officer safety comes first**
  - b. **The way the interrogator sets up the environment will be dictated by the suspect's behavior during prior field contacts**
  - c. **In an interview room, set the room up to observe non-verbal behaviors easily**
  - d. **The interrogator should have a comfortable chair with wheels in order to move towards and away from the suspect**
  - e. **Suspect should be on a chair that is stationary and with no barriers between the investigator**
16. **SHOW: Video; Observable Behavior**

The case was a murder investigation in Hollywood Div. It was an "Alley Boys" murder and the suspect was James Hernandez. The suspect was captured about four years after the murder occurred. He had fled to Mexico and then returned to Los Angeles. He was profiled on LA's Most Wanted in 1998 and 1999. The video shows his interrogation. Hernandez agreed to come and speak with the detectives and waived his Miranda rights. I was one of the Detectives and was familiar with him. I believed he would waive his rights because he was the kind of gang member who always could talk himself out of anything. He had been arrested several times was only convicted of minor crimes

He came in and after I spoke with him for a short while he stated that his alibi was that his mother knew where he was the night of the murder and she can vouch for him

I asked another detective come to the interrogation room. Then I asked him to go to Hernandez's home and speak with his mother. Outside of the room I told him that all I really wanted him to do was go back to his desk for 30 minutes and then return to the interrogation room. The detective did as I asked. The video starts when the detective returns to the room

6. Debrief the video by asking the following questions

a. Did anyone observe any of James' nonverbal behavior?

1) When he first arrived he was very confident and insisted that he didn't know what we were talking about, that he had an alibi, and that he was no where near where the shooting took place. It took a while to wear him down and that is what interrogation is all about

2) If I had let him continue with denials for an hour or more, he would have stuck to his story. So, I had to stop this from happening at the beginning

3) We let him sit in the room for 15 - 20 minutes so we could observe his behavior. To see if he's talking to himself, and what he's saying, or if he's getting more nervous

b. Additional information on this case: The Alley boys had come to Hollywood to do a burglary from motor vehicle. Hernandez broke into a Jeep that belonged to some gang members. The gang members came out of a house nearby and began to fight the Alley boys. "Flaco" from Alley Boys lost a couple teeth and the gang members sent a pit bull after the Alley Boys. The Alley Boys were offended by this and went home to get a gun. Hernandez came back with a gun and killed a 16 year old from Granada Hills

17. Nine steps of the confrontational interrogation

a. Based on the premise that you know the suspect is guilty, and you want to find out why he/she did the crime

b. The goal is to get a series of admissions

1) Psychological domination: let the suspect know you are in charge

2) The confrontational statement: let the suspect know exactly what you want

3) Transitional phase

4) Theme development

5) Handling denials

6) Overcoming objections

7) Negative/alternative questions: A question that presents an alternative to an outright confession but admitting to this will lead to a confession

8) Expanding and clarifying the confession

9) The written confession

18. The written confession

a. Video with audio of this is important, it can show transparency

b. A written confession is always good

c. It is best if it is in the suspect's handwriting, this shows its voluntariness

d. Handling poor writing skills of the suspect

19. Confrontation interrogation technique

a. An effective gang interrogation technique is the "your partner copped out on you" technique

1) Be prepared to prove it and convince the target

- 2) This technique works well with gang members
  - 3) Knowledge is power using this method
  - 4) Use this technique on the most vulnerable suspect
- a) The weakest and least involved suspect or one who has waived Miranda and talked with detectives in the past
  - b) It is important to go over all the prior cases connected to the suspects
  - c) Build the investigation from that point on, which takes time and patience
20. Legal issues
- a. Miranda versus debriefing: it is usually best to Mirandize
  - b. "Get stuff you can use and use stuff you can get", focus your questions on information that you can use. Add some unrelated questions in order to not let the suspect know what you're looking for
  - c. Establishing, tracking and documenting predicate acts for injunction filings: it is important to document everything for investigations in the future
  - d. 186.22 PC enhancements
  - e. Establishing a pattern of criminal activity: be specific about the activity and the gang's part in it
  - f. GIT gang history books
21. Additional intelligence gathering tools
- a. COMSTAT : Helps you see what other units are encountering and how you can help each other
  - b. CalGang
  - c. Criminal debriefing: If you are citing/release from custody, get some information before you let the suspect go
  - d. LAPD 5.10: The most important question is "in case of emergency notify"
- 1) This is a source that will probably always know where the suspect, such as a mother or grandmother
  - 2) The best reports to look at are the first or second time the suspect was arrested before he/she has learned not to give up this kind of information
- e. Internet: IP logging: this is a good source of information but you may not want to log onto a web site with a Dept computer because they can discover this. Establish an identity that cannot be traced back to the Department first
  - f. Networking
  - g. Training and seminars
22. As a GIT it is best to focus intelligence gathering activities to the most criminally active and violent gang members as well as the leadership of the targeted gang
23. Remember: Treat people fairly
- a. Always be professional
  - b. Never forget to use command presence, don't let gang members "clown" on you or take away your psychological advantage
  - c. The three R's: Do the right thing, the right way, for the right reason
  - d. Prioritize your efforts to start with the most violent and criminally active gangs members
- 1) This may or may not be the leaders of the gang
  - 2) Every time a field contact is made find out something and document it, such as where they are going, who they are hanging with, who their girlfriend is, whose car are they driving

## **V. SURVEILLANCE**

### **A. SURVEILLANCE GENERAL RULES**

1. General rules for operations
  - a. Always notify LA CLEAR and Investigative Support Detail of your operation
  - b. Case preparation: It is vital to be familiar with the details and history of the case
  - c. Surveillance briefing: brief all involved personnel before the operation begins
  - d. Do's and don'ts of surveillance
  - e. Counter surveillance: always be aware of the possibility that counter surveillance is occurring as your operation, and expose you
  - f. Post surveillance: Always debrief the operation
  - g. Surveillance techniques and training: there is a three day surveillance course available to officers
  - h. Operations in a gang area can't last eight hours, sometimes no more that a few hours
  - i. It is important to narrow down the time for the operation to when the target is most active
  - j. The goal is to get the target out of his comfort zone and in an area where he can be watched more closely
  - k. In some cases a fixed post can be used such as a vacant house/apartment or a van
  - l. New technology: Camera cars and pole cameras
2. Each team should be equipped with the following:
  - a. Two ASTRO or other handheld radios
  - b. Two Binoculars
  - c. Two Shotguns
  - d. Raid Jackets
    - 1) Shall be worn by plainclothes officers while serving search and arrest warrants and In those situations where the identification of the officer would be desirable
    - 2) May be waived when a discreet approach is warranted by the commanding officer or section officer in charge (OIC) of the operation
  - e. Toiletries
  - f. Underwear
  - g. Socks
  - h. Disguises
    - 1) Wigs
    - 2) Hats, etc
  - i. Flashlight with fresh batteries
  - j. Extra Batteries
  - k. Camera
3. Specific guidelines for required equipment have been established by the Department for undercover officers
  - a. Department approved firearm and ammunition
  - b. Department badge and Department ID card
  - c. Handcuffs and key
  - d. Pen or pencil

- e. Exception: Officers detailed to undercover duty wherein it is necessary to conceal their identity as officers may be excused by their commanding officers from the provisions
- 4. Vehicle and foot surveillance
  - a. Operating the vehicle
    - 1) Fundamentals of driving
    - 2) General rules of vehicle surveillance
  - b. Operating on foot
    - 1) Residential
    - 2) Business
      - a) Tactics to operate on foot
      - b) How to use cover
    - 3) Day operations: Blend in and look as though you belong in the area
      - a) Have a cover story because you will be challenged, someone may just walk up to you and say "where are you from?"
      - b) Don't wear typical cop things such as fanny packs, large, flashy watches, logos on t-shirts
      - c) Wear earth tones that blend in, O.O. #8, 2002
    - 4) Night operations: secret yourself in shadow and when moving stay out of the light
  - c. Broadcasting
    - 1) Painting the picture: Using only a few words to convey what you see, don't over-broadcast
    - 2) Sometimes this needs to be done while you're moving from place to place
    - 3) Handing off the suspect to another officer
    - 4) Terminology
  - d. Don't underestimate your target
    - 1) Know the neighborhood, know the places where you are vulnerable and the places where you can hide such as a school yard which may create traffic you can hide in
    - 2) Know what sort of ethnicity is represented in the neighborhood and what colors the gangs where so you don't where the wrong thing
    - 3) Use nondescript vehicles
- e. Limit your movement near the location
  - 1) Often the gang members and his family members know everyone who lives on their block
  - 2) Don't drive past the location more that absolutely necessary. Some family member may be watching and become suspicious
  - 3) Ideally it should be limited to one pass
  - 4) The things that need to be noted are: Who is walking on the street, is there a car in the driveway or in front of the location

## **B. SURVEILLANCE OPERATIONS**

- 1. Setting up on a target's residence in vehicles
  - a. The vehicle that makes the pass becomes the point car
  - b. The point should not park on suspect's block but a few blocks east or west, and a little north or south. This will provide a rear view of the location
  - c. Work as a team and seal off the area
  - d. A vehicle should set up on each street that the suspect could use when driving away from his residence (all four

directions) and have a long view of the street

- e. As the units place themselves they should communicate their location with the other units
- f. The point should describe the location to the other units
- 2. When the target moves
  - a. When the target drives away from his residence there should be as little movement of the surveillance cars as possible
  - b. Point sees the suspect drive away from his residence and broadcasts the suspect's direction and when the suspect leaves his /her view (he's out of my sight; this is the pass off to the next officer)
  - c. The car covering that direction now knows when he/she should see the suspect
  - d. When the target turns again the unit monitoring him broadcasts his direction and when he leaves his sight to the next unit, and so on
- 3. Setting up on a strip mall
  - a. The point car broadcasts that the target is turning into a strip mall
  - b. The point car parks before the strip mall
  - c. The next car behind the point car sees the point car and drives past the strip mall to cover the street past the mall
  - d. The other units each cover the other sides of the mall
  - e. Vehicle surveillance: Rules of the road
    - 1) The importance of following the rules of the road
    - 2) How to use the rules of the road and continue the surveillance
    - 3) Following the rules of the road to counter target's actions: Don't draw attention to yourself by not following the rules of the road
  - f. Keys to success
    - 1) Teamwork
    - 2) Communication by painting the picture

## **VI. REPORT WRITING**

### **A. REPORT REVIEW EXERCISE**

**(117d)**

- 1. Documents
  - a. Arrest report
  - b. DFAR'
  - c. Vehicle Equipment sign/in out logs
  - d. Detention log
  - e. PIR
- 2. Students are to review the documents and identify mistakes and circle them
- 3. Students have 20 minutes to complete the review
- 4. Debrief the exercise by reviewing each report and ensuring that the incorrect information was corrected
  - a. Use current audits to identify what the mistakes will be for the exercise
  - b. Review of PIR
    - 1)** Elements of crime not complete
    - 2)** Gang classification not accurate
    - 3)** List other common errors

c. Vehicle Equipment sign-in/out logs

- 1) List common errors here
- 2) And here

d. Review the Arrest Report errors

- 1) Incorrect headings Observation instead of Investigation
- 2) Improper Miranda Admonition
- 3) No Miranda form attached
- 4) Time of arrestee interview does not match time on detention log
- 5) No Form 10.10 attached or 10.10 does not match property recovered as indicated in arrest narrative or property report
- 6) Supervisor approving arrest report printed name
- 7) 4<sup>th</sup> and 14<sup>th</sup> Amendment issues/Search and Seizure issues **(117e)**
- 8) Source of information questionable, possible informant

e. Point out that supervisors will be reviewing arrest reports for all of the following:

- 1) Authenticity
- 2) Inconsistencies
- 3) "Canned Language" or "Boilerplate"
- 4) Thoroughness
- 5) Articulation of PC
- 6) 4<sup>th</sup> and 14<sup>th</sup> amendment compliance
- 7) Completeness, blanks filled in, boxes checked
- 8) Miranda advisement properly administered
- 9) Miranda advisement and responses properly documented
- 10) Signature/Serial No. approval by Watch Commander
- 11) Current Headings utilized
- 12) All associated/required forms reports attached
- 13) What "Sources of Information" were cited
- 14) Was an informant used?
- 15) Observation point used?
- 16) 148 PC arrest?
- 17) UOF involved?&

f. Review Detention log&

- 1) Time of supervisor interview does not match time on arrest report
- 2) Log incomplete as to disposition
- 3) Log does not reflect arrests observed on DFAR

g. Key points that have been identified from audits

- 1) All boxes complete
- 2) Serial number must legible

- 3) Ensure arrest charge is complete and accurate
- 4) Ensure disposition box for personal property is complete
- h. Review DFAR
  - 1) "Activity" line on log states "Extra Gang Patrol" and "xx" states "Did So"
  - 2) No supervisory sign-off at EOW
  - 3) Lack of documentation that supervisor responded to scene, verified by supervisor's log and arrest narrative
  - 4) DFAR does not reflect arrest on detention log
  - 5) Identifying numbers entered as applicable, booking, cites, FRFCs, DR#, incident numbers
  - 6) Key points that have been identified through audits of DFARs
    - a) Consistent with supervisor log, arrest reports, Daily Worksheets and Vehicle and Equipment Sign in/out Sheets
    - b) If supervisor shows on scene on a DFAR ensure that the notation is also in the supervisor's log
    - c) "Gang Enforcement-Did so" is no longer a sufficient activity entry in a DFAR
    - d) The entry must include specific information of the activity and the result
5. CLOSING: Reinforce key learning points
  - a. Documentation is critical; if it's not in writing it didn't happen
  - b. Accurate, consistent, thorough reporting and documentation enhances the reputation of the individual and/or the Department, improves prosecution and reduces civil liability

## **VII. SEARCH WARRANTS**

### **A. SEARCH WARRANTS**

#### **1. Search Warrant defined (117e)**

An order in writing, in the name of the people, signed by a magistrate, directed to a peace officer, commanding the officer to search for a person or persons, a thing or things, or personal property, and, in the case of a thing or things or personal property, bring the same before the magistrate

- a. States the name of the affiant(s)
- b. Describes property to be seized
- c. Describes places, persons, vehicles to be searched or arrested
- d. States statutory grounds for issuance
- e. States any direction that it may be served at any time of the day or night. If this is missing the warrant shall only be served between the hours of 7 a.m. and 10 p.m.

#### **2. Probable Cause Arrest (Ramey) Warrant defined**

A probable arrest warrant is an order in writing, in the name of the people, signed by a magistrate, directed to a peace officer, commanding the officer forthwith to arrest a person and bring said person before a magistrate in the county of issuance, or in lieu thereof, release said person from custody prior to the time limitations of 825 PC without bail, or appearance before a magistrate

The arrestee may be released on bail in an amount established by the magistrate

#### **3. Affidavit defined**

- a. A statement made under penalty of perjury before a magistrate: "A search warrant cannot be issued but upon probable cause, supported by affidavit, naming or describing the person to be searched or searched for, and particularly describing the property, thing or things, and the place to be searched"; 1525 CPC
- b. The affiant prepares the search warrant, affidavit and statement of probable cause for presentation to a magistrate
  - 1) May be more than one affiant
  - 2) Does not have to be a police officer

3) Usually the magistrate asks the affiant to simply swear to the contents of the written affidavit

#### 4. Jurisdiction

a. A magistrate may issue a search warrant for any location within the county in which he/she sits

b. A magistrate may issue a warrant for a location outside of their county so long as it relates to an offense that can be prosecuted in the magistrate's county

#### 5. Purpose of a Search Warrant

i. Obtain evidence of a crime

j. Search the right location

k. At the right time

l. Arrest the right suspect

#### 6. Advantages of search warrants

a. Courts have consistently emphasized their preference for searches made pursuant to a search warrant

b. A person who has consented to a search can withdraw that consent at any time; *People v. Martinez* (1968). The voluntariness of consent is a question of fact that can be disputed

c. A search warrant protects the officers serving a facially valid search warrant in an otherwise lawful manner as they are considered to be acting the performance of their duties

#### 7. Alternatives to a Search Warrant

a. Probation and Parole searches

1) To conform to the standards of *US v. Knights*, Department personnel are allowed to conduct probation or parole searches only upon individualized, reasonable suspicion of criminal behavior

2) Absent probable cause to arrest, suspects shall never be transported to a police facility for the sole purpose of determining probation or parole status or determining conditions of probation or parole

3) Department personnel initiating a reasonable suspicion warrantless residential search or participating in support of a search initiated by probation or parole personnel shall comply with the procedures established for residential searches

b. Probation searches; *United States v. Knights* (2001)

1) If the suspect is on probation and a condition of the suspect's probation is that he/she submit to a search by a peace officer at any time of the day or night with or without a warrant, a search of the suspect's residence can be done legally, without consent, as long as the search is not undertaken for harassment or for arbitrary or capricious reasons

2) To conform to the standards of *US v. Knights*, Department personnel are allowed to conduct probation or parole searches only upon individualized, reasonable suspicion of criminal behavior

3) Officers SHALL check the suspect's probation status using the Conditions of Probation System (COPS) via the Network Communication System (NECS), the Criminal Justice Information System (CJIS) or Post-Conviction Offender inquiry screens, the court files via Trial Court Information System for misdemeanors, the Prosecutors Information Management System for felonies, or call the Probation Department

c. Parole searches

1) Officers may search a parolee, his residence and any property under his control without a warrant

2) For Department personnel, the requirements of HRB Notice of June 10, 2002, also apply to parole searches

3) Such a search is reasonable within the meaning of the 4<sup>th</sup> Amendment as long as it is not arbitrary, capricious or harassing

4) Parole status is also available in NECS via the CJIS or PCO or by calling the California Department of Corrections, Parole and Community Services Division

### **B. SEARCH WARRANT PREPARATION**

1. Preparation of a search warrant

a. Mistakes resulting from carelessness and/or inadequate review and oversight could cause the validity of a warrant to be challenged in court

- b. Utilize the LAPD Search Warrant Service Procedures Guide Chapter 2-Mechanics of Preparation
  - c. Warrant Tracking Log used to track Department generated search or Ramey warrants
  - d. Sources of Information used in affidavit
9. Presenting the search warrant and affidavit to a magistrate
- a. It is in the officer's best interest to take the warrant to a magistrate who will critically read and evaluate the affidavit
  - b. Utilize DASWM if more information is needed
  - c. Case envelop/case folder should include:
    - 1) Search/arrest warrant copies
    - 2) Warrant Service Tactical Plan Report
    - 3) All other related police reports
    - 4) Supporting documents
    - 5) Photos, tapes of the warrant service
10. Supervisor at the location
- a. Sergeant I, Detective II or higher shall be present at each warrant service location
  - b. If multiple location the concerned commanding officer shall make the determination of who the primary supervisor shall be
  - c. The supervisor is responsible for the accountability of the control exercised during the warrant service
  - d. Investigating obvious misconduct, negligence, or other conduct by an officer resulting in unnecessary damage to premises or property
11. Personnel resources and logistics
- a. Ensure that enough personnel have been allocated for the location to be searched
  - b. Assignments must be specific and clearly explained
  - c. Consider having at least one uniformed officer to reduce claim of mistaken identity
12. Metropolitan Division assistance; Potential confrontation with suspects with:
- a. Exceptional weaponry
  - b. Documented violent history
  - c. Fortified structure
  - d. Specialized training, equipment or personnel is required
  - e. C/O Metro Division shall be contacted for advice
13. Intelligence gathering
- a. General sources
    - 1) Conduct a comprehensive reconnaissance of the area
    - 2) Photographs may be covertly obtained
    - 3) Neighborhood should be scouted for vantage points
    - 4) Obtain addresses and reference points
    - 5) Locations of alleys, culverts, covered transits
    - 6) Location of nearest trauma center
  - b. Location considerations

- 1) Construction
  - a) Penetration of gunfire
  - b) Fire hazard
- 2) Floor plan sketch
  - a) Alarm systems
  - b) Evidence of fortification
  - c) Access points to upper floors
  - d) Fuse boxes
  - e) Gas shutoff
- 3) Inhabitants
  - a) Children
  - b) Elderly
  - c) Animals
- 4) Unusual obstacles
  - a) Pools, spas, ponds
  - b) Electric fences
  - c. Suspect considerations
    - 1) Number of suspects
    - 2) Check all available automated systems to gather additional info
    - 3) Capabilities and background of suspects
    - 4) Weapons background
    - 5) Access to modes of transportation
  - d. Method of entry
    - 1) Preplan method of entry to facilitate a safe and effective entry
    - 2) Diversionary tactics
    - 3) Door knock/entry
  - e. Equipment
    - 1) Utilize the Departments extensive resources for maintaining and acquiring needed tools and equipment
    - 2) Personnel protective gear
    - 3) Body armor is mandatory
    - 4) Supervisor shall ensure that all personnel wear body armor
    - 5) Visors, gloves, etc.
    - 6) Police ID
    - 7) First aid kit
    - 8) Additional handcuffs
    - 9) Reserve ammunition
    - 10) Evidence bags
    - 11) Cameras and film

- 12) Lights
14. Warrant service roll call briefing
  - a. The briefing is essential to provide the operational plan, ensure clarity and prevent confusion
  - b. The briefing should include
    - 1) Target/mission
    - 2) Intelligence
    - 3) Strategy of operation
    - 4) Execution
    - 5) Coordination
    - 6) Equipment inspection
    - 7) Communications
    - 8) Logistic and support
    - 9) Legal considerations
  - 10) Handcuffing Non-suspect Occupants; 4<sup>th</sup> Amendment issue  
**(117e)**
15. Debriefing report
  - a. ASAP at conclusion of the warrant service and no later than the next working day conduct a debriefing
  - b. Identify problems that were encountered
  - c. Address the following areas
    - 1) Tactical plan
    - 2) Deployment
    - 3) Entry
    - 4) Perimeter and suspect containment
    - 5) Search and evidence recovery
  - d. A debriefing report is included in the Warrant Service/Tactical Plan Report and shall be completed by the I/O and submitted to the Commanding Officer
  - e. Strengths and weakness in the plan should be identified to improve for future plans
16. Search Warrant Log completion (C/Os office): Within one week of the service of the search warrant the concerned commanding officer shall
  - a. Analyze the circumstances surrounding the presence of a supervisor during the service of the warrant
  - b. Determine the supervisor's response was appropriate
  - c. Document the analysis in the written debrief
  - d. Sign and date the critique with in the mandated seven day period
  - e. Ensure the debriefing is filed in the case package along with all required search warrant documentation
  - f. Search warrants&
    - 1) A lieutenant or above shall be present at the execution of all search warrants and or planned service of arrest warrants at residences/businesses where GED personnel are involved in the service of the warrant and an entry is anticipated or probable
    - 2) If multiple locations are involved a lieutenant or above shall be available to visit each location
      - a) The Warrant Service/Tactical Plan report shall be used

It replaces the use of the After Action Report that was previously completed on a 15.7

- b) The new form is used to document planning, debriefing, and analysis of all search and probable cause arrest (Ramey) warrants
  - c) Preparation
    - (1) Officers shall complete pages 1-6 of the tactical plan
    - (2) Supervisor shall review the tactical plan report and if approving sign the report on page 1
    - (3) After service of the warrant the supervisor by the next working day, shall complete the "Documentation of Location" and "Debriefing Summary" sections and sign the report on page 7
    - (4) Commanding officer within 7 working days, shall review the Tactical Plan Report after service and document the evaluation of the operation and analysis of the supervisor's presence at the service and sign on page 8
    - (5) The original Tactical Plan Report shall be stored with the Search Warrant Affidavit and other supporting documentation in the Control Folder (if no arrest), the Detectives Case Envelope (in-custody arrest), or the Murder Book
17. Narcotics search warrants
- a. Usually involve multiple suspects
  - b. Multiple stash locations
  - c. It is difficult to establish possession/dominion and control with multiple suspects
  - d. Next step is surveillance to establish possession to one suspect
18. Gang association search warrant: What is needed?
- a. Establish your suspect is a gang member
  - b. Historical background of the gang
  - c. Show a pattern of criminal conduct
  - d. Which were committed for the furtherance of the gang
  - e. Show a link between your suspect and other members of the gang
  - f. Showing an association: photos of groups of gang members showing hand signs
  - g. Prison photographs of gang members in gang poses
19. Wiretaps: Very labor intensive
- a. It takes six months to a year to gather all the information needed for the affidavit
  - b. There will be an Assistant District Attorney assigned to monitor this process
  - c. Example: From a wiretap the location, the suspects involved, the routine of the deliveries (re-up) of narcotics and obtain a warrant
  - d. The goal is to serve the warrant just after the suspect makes a delivery and has left
  - e. The suspect will then make phone calls after he hears about the warrant being served
  - f. **PLAY:** Audio recording the wire tap of suspect's phone calls after the warrant is served
- 1) Evidence obtained from wiretaps
    - a) 6.5 ounces of rock cocaine
    - b) White hard dirty
  - 2) Evidence from a wiretap
    - a) SDS assault rifle
    - b) AR-15 assault rifle
    - c) .12 gauge shotgun
    - d) Three other rifles

- e) Numerous magazines and ammunition
  - f) "Heavy steel" which refers to assault weapons
20. CLOSING: Reinforce key learning points
- a. In a search warrant it is important to accurately describe all locations, vehicles and persons to be search
  - b. The key to a successful search warrant is planning and research; use all available resources
  - c. It is important to thoroughly investigate each lead in an investigation; some small bit of information can lead to solving the case
  - d. Narcotics search warrants often deal with multiple suspects, so, it is important to establish dominion and control of the narcotics
  - e. Wiretaps are very labor intensive but can result in multiple arrests

## VIII. TESTIMONY

### A. TESTIMONY

#### 1. Testimony as a gang expert is vital to the prosecution of gang members

#### 2. Statistics to help understand the problem

##### a. ADW on a police officer with a firearm in Los Angeles

- 1) Patrol 16%
- 2) Radio call 23%
- 3) Gang investigation 21%

##### b. Assault on officers

- 1) In full uniform 81%
- 2) Plain clothes 19%

##### c. Location of assaults

- 1) Streets 29%
- 2) Sidewalk 21%

#### 3. Tools to increase the efficiency and impact of gang officers

##### a. A STUDENT WILL READ: Gang Enforcement Mission Statement from Administrative Order #8, April 25, 2000

**The mission of our gang enforcement efforts is to take a leadership role in the reduction of gang crime and violence and improve the quality of life in our communities. We shall continually pursue effective strategies that support the prevention, intervention, and reduction of gang membership and associated criminal behavior. Above all else, we shall conduct ourselves with honor and integrity, while always treating members of the community with respect and dignity**

##### b. Need to understand the history of the problem

- 1) How many of you (the students) think we need tougher laws for gang members?
- 2) How many of you think it's entirely the fault of the CA/DA that gang allegations are not pursued?
- 3) How many think that we, the Department, have to accept some of the responsibility?
- 4) These questions be asked again later

##### c. HAVE A STUDENT READ: Street Terrorism Enforcement and Protection act (STEP act)

- 1) Step act 1988, officers need to know this
- 2) Changes by Proposition 21 (March 2000)

- a) 18622a (wobbler)
- b) 18622b (felony),
  - (1) can be attached to any open felony
  - (2) Is a strike
  - (3) Is an open charge
  - (4) Person does not have to be a gang member

- c) 18622b(1)
- d) 18622b(4)
- e) 18622d

can be used as an enhancement to a misdemeanor such as battery

- f) E18622e
  - (1) The Department definition of gang: S.O. #3, January 2004
  - (2) Gang crimes the Department tracks (13):

**Murder, attempted murder, felony assault, ADW on a PO, robbery, shots fired into an inhabited dwelling, kidnap, rape, arson, witness intimidation, car-jacking, gang related narcotic violations**

- g) 18622f

Defense attorneys sometimes will say "Isn't LAPD a gang?", no, we do not engage in a pattern of criminal activity, not the reason for our existence

- 3. How do we use these laws? It starts with the arrest report (117d)
  - a. Have to prove that suspect had the specific intent when he was committing the crime to benefit his gang, or himself within that gang
  - b. Start with a paragraph about who you are and what you have done
  - c. Next; a paragraph describing the gang involved: how many members are there, what are the turf boundaries, does it meet the Penal Code and Department definition, when it started
  - d. A paragraph about what happened to lead to the arrest, being a gang member is not a crime, what is significant is that the act/crime was done to benefit a gang
  - e. A paragraph about the suspect: he has gang tattoos, he has adopted a particular type of dress used by this gang, has moniker, (such as a sport team jersey that they all wear, remember to book the jersey), and that this makes it likely that he is carrying a gun
  - f. A paragraph on why you think he/she committed the crime. Give your opinion: if he had come across a rival gang member he would probably get into a conflict with a rival gang member

- 4. 12022.53 PC; the "dirty" 25

- a. This section combined with 18622b
  - 1) Gang members don't do drive by shootings alone. They use a driver, a spotter, etc.
  - 2) They are now often using females as driver and front passenger
  - 3) Everyone in the car can be arrested, using this section together with 18622b
- b. If a gun was used in committing a murder, attempt murder, mayhem, kidnapping, attempt kidnapping, robbery, car-jacking, ADW on a PO, or attempt of any of these crimes
  - 1) Additional 10 years to the prison sentence if the suspect displayed a handgun
  - 2) 20 years if it was fired
  - 3) 25 to life if there is great bodily injury or death

4) Also, after they have served the prison time they have to register as a gang member, it is a misdemeanor if they don't

5. **READ: Report written by a patrol officer**

a. In this case both were arrested, because he was there to back up his friend by throwing hand signs, to benefit the gang, this act helps establish that the act of shooting was premeditated

b. Suspect throwing gang signs got 15 years

B. **FOLLOW UP REPORTS**

1. **DISTRIBUTE: 3.14 handout (117d)**

a. Five individuals in the car with a loaded 30-30 cal. rifle, cocked, with the stock removed

b. Driver and front passenger weren't gang members

c. They were members of two different gangs in the rear of the car, everyone got booked

d. **READ: From 3.14:**

1) The report must convince, ultimately, a jury. These PC sections allow an officer to bring in his/her opinion, hearsay, photographs of graffiti, whatever it takes to establish specific intent

2) In this instance the non-shooter suspects were booked on conspiracy, so the report needed to show that they knew that they were going out to shoot a rival gang member. The evidence was circumstantial but how it is presented and then the officer's opinion was enough to show that there was a conspiracy

3) Getting this type of booking will be a challenge

2. **Example: Gang members ambush some Wilshire Div officers. This is not enough for a filing. Explain that shooting at an officer will elevate the suspect's status in the gang, or in prison**

3. **ASK:**

a. How many think we need tougher laws for gang members?

b. How many think it is entirely the fault of the CA/DA that gang allegations are not pursued?

c. How many think that we need to take some of the responsibility?

**Expectation: that more students raise their hands for C, and less for A and B**