

THE BILL BLACKWOOD  
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS

Effective Jail Management Through Inmate Gang  
Information Gathering and Dissemination

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## ABSTRACT

Since the early part of the 1970's Texas Correctional system's in Texas have seen the formation and increase of inmate prison gangs. These gangs formed at first as protection groups within the prisons. Since that time they have gone from simply protection groups, to leaders of organized crime and extortion in the prison system. As this role has changed, their potential for increased violence and control within the jails and on the streets has increased with it.

Correctional managers must now look at new ways of controlling jail environments. Staff members must now look at not only what has happened in the past, but also make an educated decision about what may happen in the future. This must be kept in mind when looking at any new changes in policy or procedure within the jail facilities.

Travis County has faced a large increase in the number of prison gang members within our jails over the past two years. In the past we had large numbers of street gangs, who were loosely organized. Currently we have prison gangs such as the Texas Syndicate and the Mexican Mafia recruiting new members within the city of Austin, and our own jail facilities. Several murders which have occurred in Austin during this past year were conducted by street gang members who were working under the direction of prison gang members. With the potential for this type of violence within our system, it is imperative that we begin to formally document and track persons associated with these groups.

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## INTRODUCTION

The growth of gang activity within the jail systems of the United States is a growing problem for jail administrators and staff. The continual evolution of inmate gangs creates new and challenging problems for effective jail management. Texas prison gangs have long been known for creating a hostile jail environment through involvement in extortion, assaults, murder, gambling, drug trafficking, and prostitution. This environment can create concern for the jail staff in regards to the right of other inmate's expectation of safety within the facility. It would therefore be advisable for jail administrators to review their current policies and procedures concerning the handling of gang members. A review of the policies utilized by other departments of similar size and / or location would allow for good comparisons. Local regulations, such as those established by Texas Commission on Jail Standards, and any case law relevant to inmate classification should be compared also. Additional information can be gained through the NCJRS database and the Institute of Criminal Justice.

After careful review of all available information, departments can then make decisions regarding their own policies and procedures. This might entail the gathering of more information, additional forms for such information, changes in classification procedures, possible use of administrative segregation units, databases, and possibly reassignment of jail personnel.

The purpose of this research paper is to make available to the administration of the Travis County Sheriffs Department information that can be utilized in effecting policy to better manage

our inmate population, and assist in avoiding lawsuits based on failure to protect. This report is intended for use primarily by the Travis County Sheriff's Department Corrections Division. However, this information may be useful to other county correctional facility administrators throughout the state of Texas.

## HISTORICAL / LEGAL

Gangs are an increasing problem throughout the United States. Many communities deny that they have a gang problem in their community. This denial can allow gangs the time they need to grow and develop their strengths. Once this has occurred, the situation that is encountered may be difficult to control (US. Department of Justice 1994). A gang is identified as; a group of three or more individuals who may have a common identifying sign, symbol, or name, and who individually or collectively engage in criminal activity (US. Department of Justice 1994). Different items can be utilized for the identification of individual gang members. These items could include clothing, colors displayed, tattoos, hand signals, associates, self admission, hit lists, written communication, individual and group photos, and informant reports (Camp 1985). Many Law Enforcement and Correctional agencies throughout the United States have begun to collect information on such groups. Such information can be utilized to help solve crimes, receive stronger sentencing for convicted criminals, and to improve inmate classifications in correctional facilities. Though agencies throughout the country are creating and implementing methods for identifying and tracking gang members, these systems are generally not compatible with one another (U S. Department of Justice 1994). This can create a large breakdown in the

flow of information from one agency to another.

The level of violence brought on by prison gangs within Correctional institutions has brought on new legal concerns for jail administrators. Lawsuits in recent years have been filed in which prisoners stated that prison officials should have known about a substantial risk to their safety. It was due to such litigation that the term "deliberate indifference" came to be. In *Estelle vs. Gamble*, "deliberate indifference" was referred to as "a state of mind more blameworthy than negligence". Justice Blackmun added in his concurring opinion in *Farmer vs. Brennan*, that this sends a clear message to prison officials on the importance of their duty to insure inmate safety (Del Carmen 1995). Prison officials must consider these findings when creating new policies and procedures regarding inmate classification and housing.

It was not until the mid 1970's that the Texas prison system began to see the formation of what is recognized today as a prison gang. The Texas Syndicate was one of the first prison gangs to cause problems in Texas. They originally formed in California at Folsom Prison as a self protection group. They felt threatened by the Mexican Mafia and La Nuestra Familia. Texas prison officials were aware of the presence of the Texas Syndicate members in their system, but downplayed their potential for violence. Other inmates known as building tenders, were used to keep an eye on gang members and to report intelligence to selected staff members (Fong 1990).

In 1984, the Texas prison system saw the end of the use of building tenders. With this method of controlling gangs within the jail removed, gang activity flourished. The years of 1984 and 1985 became known as the 'war years' in the Texas prison system. During these years 52

murders, and 641 non-fatal stabbings occurred, of which 90% were gang related. Members of opposing gangs were killing and assaulting each other in order to eliminate competition in the contraband and drug market. At times, members of the same gang would kill each other due to failure to pay the gang their portion of the profits, or failure to conduct an assigned hit (Ralph-Marquart 1992). Many people felt at this point that the prison officials had lost control of their institutions.

It was at this point that officials decided that they must come up with a strategy to combat the problem. They started by taking the gang leaders and placing them in administrative segregation. Here they were locked in a single cell 23 hours a day. They were allowed one hour of recreation per day which was done alone (Ralph - Marquart 1992). Some of these leaders were transferred to other units within the system. Both of these methods proved to have little success in reducing gang activity due to the extensive communication methods utilized by the gang members (Beaird 1986). They also tried to increase the number of inmate crimes that were prosecuted. This proved to be more effective after September of 1985 when Senate Bill 185 was passed by the Texas Legislature which made it a felony for any inmate to possess a weapon within a penal institution. This bill also removed discretionary sentencing power from the judges by mandating that anyone convicted of this crime be sentenced consecutively rather than concurrently (Beaird 1986).

After September 1985 all identified members were placed in administrative segregation. This caused a dramatic increase in the number of inmates housed in administrative segregation, but

proved to be quite effective in stopping the high number of assaults, and murders that were occurring ( Draper 1991). This method is still used today, with minor modifications. All identified gang members, except Bloods and Crips are housed in administrative lockdown. The Crips and Bloods are housed as a gang within an open general population unit (Cheatham 1996).

The Bloods and Crips are the first street gangs to be identified as a known disruptive groups within the prison system. Prior to this, street gang members would usually disband while in prison or they would affiliate with another gang within the system. With the increase in street gang members inside the prison, and increased prison gang activity outside the prison; the line between the two is beginning to fade. Both groups are looked at as a major security threat to the public and the corrections system (Cheatham 1996).

## LITERATURE / PRACTICES

Several large departments throughout the country were contacted concerning their current practices regarding gangs both on the street, and in the jails. This was done by the use of a series of questions regarding different aspects of gang problems within their jurisdiction. All of the agencies contacted recognized that gangs were present in their communities. Each agency had a system in place for the collection and dissemination of gang information. Most agencies utilized similar items to identify an individual as a gang member. The most common items utilized were self admission, associates, tattoos, wearing of colors, previous arrest records. Other items which were utilized by some of the departments were graffiti, correspondence, and

intelligence gathered from other law enforcement agencies. (see Table 1) The amount of information needed for positive identification as a gang member varied from one identifier to three separate identifiers. Once this information was gathered it was utilized for classification purposes within the about twenty five percent of the jails.

TABLE 1

Items Utilized for Identification of Gang Members

<u>Identifier</u>	<u>Agencies Utilizing Identifier</u>
Associates	7
Self Admission	7
Tattoos	7
Wearing of Colors	7
Previous Arrest Records	5
Graffiti	2
Correspondence	2
Witness Testimony	1
Gang Intelligence Records	2
Photos	2

Most of the agencies reported problems with graffiti. Graffiti was consistently utilized for intelligence gathering. Amongst items of intelligence that were gathered, was what members were currently active, group rosters, who might be on their way out, previously unidentified members, street names / monikers, and territorial boundaries. In most instances, inmates were made to clean the altered items back to the original condition. If this was not possible, restitution was sought in order to have items restored to proper condition.

The handling of inmate mail showed a wide range of practices. Almost all agencies searched incoming non-privileged mail for possible gang related information. However only two of the

agencies contacted searched outgoing mail. Two of the agencies contacted do not search incoming or outgoing mail. No agency contacted searched privileged mail without a search warrant. (see Table 2)

TABLE 2

Searching of Non-Privileged Inmate Mail

<u>Agency</u>	<u>Incoming Mail</u>	<u>Outgoing Mail</u>
Pima County Sheriff	No	No
Cook County Sheriff	Yes	No
Nueces County Sheriff	Yes	Yes
Maricopa County Sheriff	Yes	Yes
Hillsborough County Sheriff	Yes	No
Palm Beach County Sheriff	No	No
Texas Department of Corrections	Yes	Yes

Gang members both on the streets and in correctional settings have been known to utilize hand signs in order to communicate. Hand signs were dealt with anywhere from doing nothing, to in house disciplinary procedures, and administrative segregation.

All of these agencies either have in place or are in the process of setting up formal training for Correctional staff members. Currently the training occurs within the training academy setting, at shift briefings, and through memorandums. Most of the agencies had persons assigned to work in gang intelligence gathering. These officers were sent to specialized regional and state training sessions.

## RELEVANT ISSUES

When looking at the current practices of departments around the country, one can see a trend toward active identification and control of gang activity- Agencies throughout the state have started keeping track of those inmates who are involved in gangs as regular members, leaders, and associates. Other information which is gathered ranges from, what individuals are in the same gang, what types of illegal activity are they currently involved in, who they are setting up for extortion, inmates and staff members who have contracts on their lives, and how tools for these activities are being brought in and out of facilities. This information is used for better classification of inmates throughout their correctional facilities.

Enhancing the information utilized during the classification process, can help in avoiding lawsuits such as the one, inmate Michael Blucker filed against the Illinois Department of Corrections. Blucker claims that he contracted the AIDS virus after being sexually assaulted by other inmates. He also claims that corrections officials failed to protect him even after he reported the attacks (Max 1996). Incidents such as Blucker's, cause great concern for departments due to legal liabilities. Often large dollar amounts are rewarded to inmates if it can be shown that the department should have known that there was a substantial risk to their safety. Utilizing the information gathered on gang members in the system can assist in reducing this liability.

The answer that many agencies throughout the state of Texas have come to, is the creation

of formal gang intelligence units. These units allow for the full time collection and dissemination of information within their jurisdiction. At least 30 Law Enforcement agencies throughout the state of Texas currently have such units in operation. Most of these units were created within the past two to five years; with only about 30 percent of the departments having had units for over five years (Telesmap Bulletin, Vol.4, No.2). Some of these units were able to gain funding through their local government, while others sought out external funding such as grants. Those receiving external funding have been able to gain this assistance for anywhere from one to three years. (Telesmap Bulletin, Vol.4, No.2) Once the outside funding has ceased, their local government has taken over the funding of the established unit.

## CONCLUSION

Within the past several years law enforcement agencies throughout the United States have begun to recognize the problems associated with increased gang activity. The level of violent crimes towards persons and property has increased in metropolitan, rural, and correctional settings. This problem can not be ignored, or played down. Agencies around the country have begun by recognizing the problem at hand and coming up with solutions.

At this time I would like to propose that the Travis County Sheriff's Department follow this trend toward finding solutions to the problem. In our correctional setting we have seen many instances of gang related problems. These problems have ranged anywhere from increased amounts of graffiti, fights between rival gang members, and assaults on other inmates for

commissary and other items. During the past year due to effort on the part of three Correctional staff members who were able to take time to assist detectives, major assistance was given in five gang related murders. If Travis County were able to put together a full time unit comprised of one Sergeant and three Officers, vast amounts of information not currently gathered could be gathered and analyzed. Analyzation of this information would assist us in inmate classification and handling, as well as assisting our local investigators and prosecuting attorneys. At the present time we are seeing a rise in organized gang activity in our area. This organization is coming from within the prison system from groups such as the Texas Syndicate and the Mexican Mafia. We need to take a firm stand toward active intelligence gathering, and gang prosecution to maintain control behind the walls of the Travis County Correctional System.

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