

**THE BILL BLACKWOOD
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Implementing a Prison Gang Intelligence Unit within
the El Paso County Detention Facility

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ABSTRACT

Prison gangs and prison gang violence pose a serious threat to the safety and security of any correctional facility. Research clearly indicates that when a correctional facility experiences an increase in prison gangs and their criminal activities, the need for implementing strategies, policies and procedures, and a prison gang intelligence program is critical to improve the management and supervision of these disruptive groups. There are serious security, safety and liabilities issues that need to be considered. The El Paso County Detention Facility currently is experiencing a major increase of prison gang membership and violence. The lack of knowledge and limited information on prison gangs by the department is a matter of serious concern. By following certain guidelines and following recommendations from other correctional experts, the El Paso County Sheriff's Department improves their chances of minimizing liability and improving the safety and security of the detention facility.

Introduction

The purpose of this research is to demonstrate the need for establishing a prison gang intelligence unit within the El Paso County Sheriff's Department. In 1994, the El Paso County Detention Facility recorded three jail homicides that were directly linked to prison gangs. According to the National Institute of Corrections and the United States Department of Justice, "Prison gangs perpetuate criminal activity, threaten violence and total disruption of an institution" (October 1991).

The Prison Gang Intelligence Unit is critical to ensure that prison gang members are properly identified, tagged and that all their activities are closely monitored. This unit will be responsible for collecting and preparing data on prison gangs. This unit will evaluate and validate all external and internal intelligence information for our department. Ultimately this unit will be responsible for determining the intake/classification and special housing assignments for all gang members. The lack of knowledge and limited information on prison gangs within our department is a matter of serious concern. There are serious security, safety and liability issues that need to be considered by the sheriff and jail administrators. It is important that our department personnel understand the history of prison gangs. This includes prison gang members' characteristics, their command structure, their recruiting methods and all other criminal activities that these disruptive groups are known for. The safety and welfare of inmates and correctional staff is the primary consideration for this unit.

In order to receive approval and funding for this unit, proper research on prison gangs needs to be conducted. This will be accomplished by researching books, journals, case law and other correctional publications. The National Institute of Corrections and the Texas Department of Criminal Justice will also provide valuable information. Once properly implemented, this unit will be extremely instrumental in recommending new policies and procedures for improving the supervision and management of prison gangs.

The unit will also provide extensive and comprehensive training for all correctional personnel in our department. The end result will be that our department will greatly improve the safety and welfare of inmates and staff. It will also minimize criminal activities, disturbances and potential civil liability from inmates who may be injured by prison gang violence. It will also educate our correctional personnel on ways to better manage and supervise overly disruptive groups.

Historical, Legal and Theoretical Context

Prison gangs have existed since the late 1950s and 1960s (Camp and Camp 1985). According to several researchers, Texas was a relatively latecomer to the world of prison gangs. The Texas Syndicate was present to some degree during 1975 (Beaird 1986). During the mid-1980s, eight prison gangs were identified by Texas prison officials (Buentello and Fong 1991). According to a study that was conducted in 1985, active prison gangs were identified in thirty-three states (Camp and Camp 1985).

All available research indicates that one of the major factors contributing to the growth of prison gangs and prison violence in Texas was the immediate and abrupt cessation of the use of the building tender system (*Ruiz v. Estelle* 1980). The years of 1984 and 1985 are referred by researchers as the “War Years” in Texas prisons. The building tender system was removed and the inmate gangs replaced them in the authority vacuum which resulted. The Texas Syndicate was at war with the Mexican Mafia and the Aryan Brotherhood was at war with the Mandingo Warriors. The level of violence within Texas prisons dramatically increased. Fifty-two murders occurred within this time, of which 90 percent were gang related. This war had the highest number of homicides ever recorded in Texas prison history (Ralph and Marquart 1991). These gangs were killing members of other rival gangs at high frequency. Most of the violence was caused by prison gangs wanting to control and increase their contraband market, primarily the narcotics market. They were attempting to eliminate the competition, and killing rival gang members was the

method of doing so. Gang members were also killed for not abiding by rules, particularly if they did not perform an ordered hit or refused to pay the gang the percentage of profits required. Prison officials regained control by establishing a special crime unit that prosecuted all gang related crimes as well as the implementation of placing prison gang members on administrative segregation. All identified prison gang members were placed in single cells and were kept locked down for twenty-three hours a day. This policy currently still remains in effect.

According to Mr. Sam Buentello from the Texas Department of Criminal Justice—Institutional Division, in 1990, his department began monitoring a group of inmates from West Texas (notably, El Paso Texas area) who identified themselves as “Barrio Aztecas.” Due to the increase in gang membership and their history and propensity for violence and their other criminal activities, his department strongly recommended that correctional and law enforcement agencies closely monitor their activities. According to Buentello, there was an increase in inmate disturbances and assaults that were directly linked to this new disruptive group. This gang was becoming extremely brutal and violent in order to gain recognition in the prison system. It is believed by our current staff and supervisors that at least half of our inmate population at the El Paso County Detention Facility is an “Aztec Barrio” gang member or is affiliated with this group. This is becoming more evident with the recent homicides and the increase in prison gang violence and disturbances in our detention facility.

It is important to emphasize that recent court cases such as *Farmers v. Brennan*, 114 S. Ct. 1970 (1994), the courts typically rule that prison officials cannot ignore “unwelcome knowledge” that “substantial risks” of violence is present in their facilities. In another case, the courts held that states have an obligation to protect individuals who are under state custody or control (*De Shaney v. Winnebago County Department of Social Services*, 489 U.S. 189 [1989]). Although jails and prisons are different in a number of

ways, the rights of prisoners in jails and prisons are generally considered by the courts to be similar. Most civil liability cases brought by inmates involve prisons, not jails, but court decisions apply to both prisons and jails (del Carmen 1991).

Review of Literature or Practice

It is clear through the review of all available literature that prisons or jail administrators can be held liable when they fail to act on prison gang violence. Steps need to be taken by corrections officials to properly address and minimize prison gang violence in their institutions.

According to a recent large jail network meeting that was conducted by the National Institute of Corrections (1995), most jail administrators expressed broad support for a firm “zero tolerance” policy in dealing with gang members in local jails. The research showed that there are strong indicators that prison gangs and prison gang violence are increasing and impacting county correctional facilities. This serious problem is no longer limited to the walls of our state prison system.

Many correctional facilities are now considering, or have implemented, some sort of task force, special unit or section to combat this problem. The National Institute of Corrections (1995) identified numerous gang intelligence programs:

1. Los Angeles County Sheriff's Office (Operation SAFE Jail Unit)
2. Maricopa County Jail Intelligence Committee (SYSTEM)
3. Tarrant County Confinement Bureau (Agency Gang Intelligence Network (AGIN))
4. Orange County Correctional Facilities (Special Handling Officers/Deputies)
5. Denver County, Colorado State Task Force
6. Hampden County, Massachusetts (Gang Task Force)
7. Illinois Department of Corrections (Administrative Unit)
8. California Department of Corrections
9. California Prison Gang Task Force
10. Federal Bureau of Prisons (Federal Disruptive Group Task Force)
11. The National Major Gang Task Force.

For example, various strategies for dealing with prison gang members are currently in use across the nation. However, in order for correctional personnel to properly manage

and supervise over prison gangs, they must first be able to distinguish between inmate groups and prison gangs. In order to do so, the National Institute of Corrections recommends the following criteria that may be applied:

- Does the group have an organized leadership with a clear chain of command?
- Does the group remain unified through good times and bad, during conflict in the institution?
- Does the group demonstrate its unity in obvious, recognizable ways?
- Does the group engage in activities that are *criminal* or otherwise threatening to the institution operations?

These criteria and four generally shared traits differentiate prison gangs from other inmate groups (U.S. Department of Justice, October 1991):

- Loyalty
- Unity
- Identity
- Reward of members' criminal and anti-social activity.

Secondly, it is important to understand that most gangs efforts to increase their power and enlarge their sphere of influence will involve recruitment of new members. Prison gang membership is achieved primarily through three sources:

- Bringing street gang members into affiliation with prison gangs;
- Including gang members from other correctional jurisdictions who have been transferred into the facility.
- Recruiting inmates in the institution often through threat and intimidation.

Prison gangs also attempt to sustain their membership strength through threats of violence. An inmate may risk his life if he refuses to join or if he betrays or drops out of a prison gang (U.S. Department of Justice, October 1991). Furthermore, it is important to understand the command structure of prison gangs. Gang members adhere to a strict code

of conduct on a clear chain of command. The gangs typically consist of a leader or president, captains, lieutenants and soldiers. Their main criminal activities involve drugs, contraband, extortion, in-house prostitution, gambling and protection. Prison gangs will also attempt to corrupt staff members whenever possible.

According to the research, most of the widespread strategies focus on special housing options. This is done by assigning prison gang members to single cells and locking them down. Certain other correctional facilities isolate gang leaders, target specific gang members, control or eliminate inmate programs and jobs and prosecute gang-related activities as a means to control the problem (National Institute of Corrections 1991).

Discussion of Relevant Issues

According to the National Institute of Corrections (1991), where gang membership is large and gangs are already entrenched in the institutional culture, correctional agencies will generally need to find strategies such as gang intelligence programs and prosecutorial units to lessen the impact of gang activities on the non-gang inmate population and, ultimately, to reduce gang influence. According to another study (Buentello and Fong 1991), while the magnitude of prison gang disruption cannot be precisely assessed, it has been reported that prison gangs are responsible for 50 percent of all prison management problems nationwide (Camp and Camp 1985, 1988). Another key issue is that despite the disruptive nature of prison gangs, very little is known about them. The secretive nature of prison gangs, coupled with the reluctance of prison administrators to acknowledge their existence, has hindered research on these groups. However, a recent theoretical model of prison gang development was created by researchers (Buentello and Fong 1991). This model will help educate correctional personnel to better understand how the development of prison gangs emerged and evolved. According to the model, the development of prison gangs involves a 5-stage process. In stage one, a convicted offender is sentenced to serve

time in prison, thereby being separated from the traditional support system and needing to deal with prison guards and other inmates. In stage two, the inmate overcomes feelings of isolation, fear, and danger by socializing with certain inmates and becoming part of a clique. While some cliques disband in time due to unit transfers or release of members, others evolve into stage three, self protection groups. As members of a self-protection group, they gain increased recognition from other inmates, certain members exert stronger influence over other members and contemplate leading the group into stage four, a predator group. As members of a predator group who enjoy their increased protection and their newfound power over other inmates, they may evolve into stage five, a prison gang which requires involvement in contract murder, drug trafficking, extortion, gambling and homosexual prostitution. Gang members must make a lifetime commitment and function as part of a formal and paramilitary organizational structure (Buentello and Fong 1991). This model will be extremely instrumental in the educational training of correctional personnel.

In addition, available research clearly indicates that prison officials have effectively limited the amount of violence that prison gang members can cause by locking them in administrative segregation (Buentello and Fong 1991).

The El Paso County Detention Facility is clearly presently experiencing prison gang problems. Research and correctional experts indicate that left untreated, prison gangs pose a major threat to the day-to-day operations of a correctional facility. The El Paso County Sheriff's Department needs to take steps immediately to review, evaluate, and implement policies and procedures that have worked in other correctional facilities in order to minimize prison gang violence and their criminal activities. Although limited information is available, there is still an adequate amount of information that can assist our correctional personnel in implementing a prison gang intelligence unit to properly manage and supervise our disruptive groups. With the recent homicides and increased inmate assaults, we cannot afford to continue at our current pace. Although we

currently lack funding for the proper implementation of this unit, we must look at all possible options and alternatives that can be considered in order to properly combat our current situation. There is strong indications that show that at least 50 percent of our current inmate population is either a “Barrio Azteca” gang member or is affiliated with this group. With the implementation of this unit we can take steps to identify and classify all known or suspected prison gang members. And finally, although throughout the research *no* specific monetary figure or cost/benefit analysis was available from any source for any control strategy being considered, planners should assess the short- and long-term availability of resources, including funding, physical plant capabilities, staffing and training needs. In addition, to minimize the chance that the enacted strategy will be declared improper by a reviewing court, legal counsel should be given a prominent role in reviewing proposed gang control efforts.

Conclusion/Recommendations

In conclusion, the research clearly indicates that a correctional institution experiencing gang violence has a vested interest to implement some mechanism to manage these disruptive groups. The purpose of this research was to demonstrate the need for establishing a prison gang intelligence unit within the El Paso County Detention Facility. This unit will greatly increase the identification of prison gang members and will be responsible for monitoring all of their activities. This unit will also recommend to the jail administrators new policies and procedures on how to manage prison gangs. It will also be responsible for the implementation of an extensive, comprehensive training program on prison gangs for the entire correctional staff. It is important again to emphasize that our department personnel currently lack knowledge and have very limited information on this topic. With the recent homicides in our facility by prison gang members, it is critical that we take steps to educate our staff. Our department, like any other correctional facility, has

an obligation to protect individuals who are under their custody. In a recent court case (*De Shanney v. Winnebago County Dept. Social Service*, 489 U.S. 189 [1989]), the court said “When the state takes a person into its custody and holds him against his will, the Constitution imposes upon it a corresponding duty to assume some responsibility for his safety and general well-being.” It is therefore strongly recommended that this unit be implemented to improve the safety and security of our detention facility. We must remember that we not only have a legal obligation, but most importantly, a moral obligation to protect human life.

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