



Police Commissioner's Special Order

Number: SO 21-27

Date: June 8, 2021

Post/Mention: Indefinite

SUBJECT: RULE 335, GANG ASSESSMENT DATABASE

Rule 335, Gang Assessment Database, is hereby amended superseding all previous rules, special orders, memos and directives on this subject and is effective immediately.

Changes to this Rule include:

- Clarification of the purpose of the Gang Assessment Database in preventing and reducing violence and victimization in the City of Boston;
- Clarification of the role of the Boston Regional Intelligence Center (BRIC) in management of the Gang Assessment Database;
- Clarification and amendment of criteria for access, submission, verification, dissemination, and review;
- Removal of the "inactive" status, thereby ensuring that those individuals will be reviewed for purge or re-categorized to more accurately reflect their participation in gang activity;
- Clarification that Field Interaction/Observation/Encounter ("FIOE") Reports shall not be used as the sole criteria for verification;
- Addition of an annual public reporting requirement regarding number of individuals added to and purged from the Database.
- Addition of a Juvenile section with the intention of connecting juveniles to services and providing a pathway out of the Gang Assessment Database.

The BRIC shall have a reasonable amount of time from the date of adoption of this rule to ensure the Gang Assessment Database is in full compliance.

Commanding Officers shall ensure that this order and the attached Rule are posted on Department bulletin boards.

Gregory P. Long
Superintendent In Chief

RULE 335: GANG ASSESSMENT DATABASE

General Considerations:

In 1993, the Boston Police Department created a coordinated, multi-agency enforcement unit to address the youth violence problem affecting the City of Boston. The Youth Violence Strike Force, as it was named, has since evolved to incorporate prevention, intervention, and enforcement strategies. Furthermore, in 2005 the Boston Police Department created the Boston Regional Intelligence Center (BRIC), which formalized the Department's responsibilities for information sharing, analysis, threat assessment and risk management. Amongst several strategic responsibilities, the BRIC works closely with the Youth Violence Strike Force to analyze data and information pertaining to criminal activities that often result in cycles of retaliatory violence perpetrated against rival gangs and individuals, and their perceived neighborhoods and/or territories, presenting a substantial risk to communities within the City and Region. The following Rule delineates the responsibilities of the Youth Violence Strike Force as well as the process for gang associate verification, analysis and entry into the Gang Assessment Database by designated personnel from the Boston Regional Intelligence Center.

Section 1. Youth Violence Strike Force:

Established in 1993 in response to the increased use of violence amongst youth in the City of Boston.

The mission of the Boston Police Department's Youth Violence Strike Force (YVSF) is to proactively reduce gun violence, particularly concentrating on individuals affiliated with gangs or violent criminal behavior. YVSF utilizes traditional policing strategies, incorporating prevention, intervention and enforcement efforts, as well as intelligence-led policing strategies to inform decision-making at every level. Patrol officers and detectives collect information and focus on sources of firearm and gang violence through the identification of individuals, groups, and locations. YVSF works collaboratively with community partners and other stakeholders to garner information on illegal firearms and related violence. Officers aim to prevent ongoing conflicts among street gangs through direct interaction with individuals and groups. Officers not only respond to but anticipate retaliatory violence between groups, and make every effort to deter further violence. Through community-based partnerships, suitable individuals with whom the YVSF makes contact are referred to social services and offered a variety of opportunities.

Section 2. Boston Regional Intelligence Center

Boston Police Department's Bureau of Intelligence and Analysis (BIA) provides management and oversight of the Boston Regional Intelligence Center (BRIC). The mission of the BRIC is to serve as the central point for the collection, synthesis, analysis, and dissemination of strategic and tactical intelligence to law enforcement, intelligence, first responder, and private sector partners; and to assist the federal government as a partner for national security.

Furthermore, in 2005, the Boston Police Department created the Boston Regional Intelligence Center (BRIC), which formalized the Department's strategic responsibilities for information sharing, analysis, and risk management. Amongst a number of strategic responsibilities, the BRIC works closely with the Youth Violence Strike Force to gather and analyze data and information pertaining to criminal activity that often result in cycles of retaliatory violence perpetrated against rival gangs and groups, and presents a substantial risk to the City and Region.

Section 3. Purpose of the Gang Assessment Database

The purpose for the existence of the Gang Assessment Database is to:

1. Provide law enforcement a consistent citywide framework for identifying individuals and groups that associate as a "gang" and thus are likely to engage in or perpetrate criminal activity for the furtherance of the criminal organization, which may include targeted and/or retaliatory violence; and
2. Assist in the investigation of gang related criminal activity in the City of Boston.

The database is only used for valid law enforcement purposes, including enhanced officer awareness, suspect identification, witness and victim identification, resource deployment, investigative support, and to aid in the prosecution of gang related crimes. Through community-based partnerships, suitable individuals in the database with whom the YVSF makes contact are referred to social services and offered a variety of opportunities.

Section 4. Definitions:

Sec. 4.1 Gang: A gang is an ongoing organization, association, or group of three (3) or more persons, whether formal or informal, which meets both of the following criteria:

1. Has a common name or common identifying signs or colors or symbols or frequent a specific area or location and may claim it as their territory and
2. Has associates who, individually or collectively, engage in or have engaged in criminal activity which may include incidents of targeted violence perpetrated against rival gang associates.

Sec. 4.2 Gang Associate: Any person, whether juvenile or adult, that has been verified using the Point-Based Verification System defined by this Rule and has obtained at least ten (10) points.

Sec. 4.3 Gang Assessment Database: Electronic database maintained by the BRIC that includes Gang Associates and Gangs in accordance with this rule.

Sec. 4.4 Active Status: An individual who has met the point criteria to be considered a Gang Associate and is reasonably suspected of participating in gang related criminal activity within the past five years. When an individual no longer meets the criteria for active status, they will be purged from the system.

Sec. 4.5 Deceased Status: An individual who is no longer living, but met the criteria to be a Gang Associate. Individuals with this status will be reviewed in accordance with this rule and the record may be retained if the circumstances of the death may result in the potential for retaliatory violence or criminal activity.

Sec. 4.6. Long Term Incarceration Status: An individual who has been verified as a Gang Associate in accordance with this Rule, who is currently incarcerated, serving a sentence of 2 or more years.

Sec. 4.8 Primary Affiliation: The group with which an individual is associated. In cases where an individual associates with more than 1 group, the primary affiliation should be considered the group in which Law Enforcement can most clearly articulate the individual having the strongest ties. This affiliation will have at least 10 points under the verification criteria. All individuals in the database shall have a primary affiliation.

Sec. 4.9 Secondary Affiliation: A secondary group that an individual could be verified as being associated with by at least 6 points. This is in addition to their Primary Affiliation.

Sec. 4.10 Profile Page / Face Sheet: A summary detailing a Gang Associate's key identifiers and any items used to verify an individual as a Gang Associate.

Sec. 4.11 Authorized User: All sworn Boston Police Officers and other individuals designated by the Commander of the BIA or his/her designee, in collaboration with the Commander of the Youth Violence Strike Force or his/her designee, shall be granted access to the Gang Assessment Database in accordance with this rule.

Sec 4.12 Juvenile- An individual who has not attained the age of 18.

Section 5. Gang Associate Verification:

The Department uses a ***"Point-Based Verification System"*** to determine when an individual will be considered a Gang Associate. An individual that does not have a minimum of ten (10) points using the Verification System will not be included in the Gang Assessment Database. The BRIC will maintain copies of supporting documentation for all criteria used to verify an individual. The BRIC will analyze the validity of the supporting documentation for each individual criteria used to verify an associate and maintain the discretion to decline to use the information towards any criterion. The BRIC will maintain the discretion to decline to enter individuals into the database who meet the 10 point criteria but are determined to not be engaged in gang-related criminal activity.

The following list of items or activities may result in an individual's verification for entry into the Gang Assessment Database:

- Contact with Known Gang Associate (FIO) (2 points per interaction)
 - FIOs shall not be used as the sole verification criteria for any individual.
- Court and Investigative Documents (9 points)
- Documented Association (Police Incident Report) (4 points per interaction)
- Group Related Photograph (2 points)
- Information Developed During Investigation and/or Surveillance (5 points)

- Information from Anonymous Informant or Tipster (1 point)
- Information from Reliable, Confidential Informant (5 points)
- Known Group Tattoo or Marking (8 points)
- Membership Documents (9 points)
- Named in Documents as a Associate / Member(8 points)
- Participation in Publications (8 points)
- Possession of Documents (8 points if not in custody or incarcerated; 3 points if in custody or incarcerated)
- Possession of Gang Publications (2 points)
- Prior Validation by a Law Enforcement Agency (9 points)
 - The Law Enforcement Agencies validation process must be at least as rigorous as that used by the Boston Police Department.
- Published News Accounts (1 point)
- Self Admission (8 points)
- Use and or Possession of Group Paraphernalia or Identifiers (4 points)
- Victim/Target Affiliated with Associate of Rival Group (8 points if not in custody or incarcerated; 3 points if in custody or incarcerated)

A blank verification form is attached to this rule as Appendix A.

Section 6. Access:

The Department will provide access to the Gang Assessment Database to all personnel defined as authorized users in Section 4.11. All authorized users must complete a User Agreement before gaining access. Authorized users must have a legitimate law enforcement purpose for accessing the Gang Assessment Database. The Boston Regional Intelligence Center (BRIC) will serve as the administrator of the database and ensure that users have adequate access.

Authorized Users will have the following access permissions:

- **READ** all Gang Assessment Database entries within the system
- **SEARCH** all Gang Assessment Database entries within the system

Section 7. Submission to the Gang Assessment Database:

Authorized Users will be able to submit an individual for consideration for admission into the Gang Assessment Database. All submissions for verification shall include documentation to support the individual's entry into the Gang Assessment Database using the Point-Based Verification System. Submissions can be made to the Commander of the BRIC or his/her designee or the Commander of the Youth Violence Strike Force or his/her designee. All submissions for verification will be manually reviewed by a BRIC analyst and supervisor to determine compliance with this rule prior to entry into the database. If the individual is verified as a gang associate, the supporting documentation shall be maintained by the BRIC in the Gang Assessment Database. No individual will be considered for addition to the Gang Assessment Database on the basis of their religious, political, or social views or activities; their participation in a particular noncriminal organization or lawful event; or their races, ethnicities, citizenship, places of origin, ages, disabilities, genders, or sexual orientations.

Section 8. Dissemination of Gang Assessment Database Information:

All data contained in the Gang Assessment Database is considered Law Enforcement Sensitive. Authorized Users may access the Gang Assessment Database when there is a legitimate law enforcement purpose for doing so, such as an ongoing investigation or in support of a prosecution. All court ordered, defense requested, or public record requested production of information contained in the Gang Assessment Database should be directed to the Boston Police Department's Office of the Legal Advisor.

Specific Authorized Users within the BRIC, selected by the Commander of the BIA or his/her designee will have access to print Gang Associate profile pages / face sheets for legitimate law enforcement purposes. All printing from the database shall be logged and the reason and recipient noted.

Section 9. Review of Gang Assessment Database Entries:

The Commander of the BIA or his/her designee, in collaboration with the Commander of the Youth Violence Strike Force or his/her designee, shall be responsible for ensuring that files are maintained in accordance with the goals and objectives set forth in this Rule. To that end, entries in the Gang Assessment Database shall be reviewed at least once every five years to determine if the individual remains active based on the definitions provided above. When an individual no longer meets the criteria for Active Status, they will be purged from the system.

BRIC will report by January 31st of each year to the Police Commissioner on the total number of individuals added to and purged from the database in the previous calendar year. These totals will then be released to the public.

Section 10. Juveniles:

The BPD/BRIC is committed to identifying juveniles in the Gang Assessment Database in order to connect them with services. The BPD/BRIC has partnered with Boston's Safe and Successful Youth Initiative ("SSYI") to provide services as a pathway out of gang involvement. The BRIC will notify SSYI of all juveniles in the Gang Assessment Database to facilitate connecting the juvenile with appropriate services. Provided, however, that SSYI will not be notified if doing so would compromise an ongoing investigation.

The BRIC will consider the input of SSYI program personnel when determining if a juvenile meets the criteria for exclusion / removal from the Gang Assessment Database.

It is the ultimate goal of the Boston Police Department to eventually purge all juveniles from the gang database and stop the cycle of violence in the City of Boston.

Gregory P. Long
Superintendent In Chief