

# Police Department

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LOB #205:

## **CRIMINAL INTELLIGENCE DIVISION, GANG UNIT**

### **Purpose**

The Criminal Intelligence Division is comprised of three main components; the Gang Investigations Unit (GIU), the Northern Virginia Regional Intelligence Center (NVRIC), and the Criminal Intelligence Unit (CIU)

Gang activity is very dynamic, often violent, and rarely confined to a particular neighborhood or patrol district. This criminal activity is highly mobile and routinely crosses jurisdictional boundaries. While individual police districts may have a localized gang problem, it is imperative that the Department's gang intelligence effort be centralized, represent all police districts, and be linked to neighboring jurisdictions to maximize the effectiveness of information sharing.

The role of the NVRIC and CIU is to identify, collect, vet, and when appropriate, disseminate information and actionable intelligence. The other mission is to identify and arrest individuals engaged in criminal or potential threatening or terrorist acts and disrupting or mitigating their efforts while ensuring appropriate partners are alerted and de-confliction occurs.

### **Description**

The need for a full time Gang Unit was recognized in the early 1990's after the shooting and murder of a high school student at Marshall High School in Fairfax County. Since 2001, the Gang Investigations Unit has investigated an average of 874 gang related cases per year.

The fundamental role of the Gang Investigations Unit is one of gathering and disseminating criminal gang information to patrol officers and all investigative entities. These functions require good communication and a close working relationship with all operational units of the Department. Additionally, the Gang Investigations Unit shall routinely target specific gang activity and conduct pro-active patrol and enforcement efforts. This unit shall accomplish this mission through the following activities:

- Review all gang-related case reports forwarded by Station Gang Coordinators.
- Case follow-up of selected reports from which gang intelligence might be gained through additional interviews and pursuance.
- Provide direct assistance to any departmental entity requesting intelligence or other gang-related case support.
- Provide appropriate and timely notification to station commanders of current district-level gang activity or intelligence regarding future gang activity.
- Provide educational support in gang-related topics to the Department and gang awareness programs in the community.
- Departmental liaison assignment of a Gang Investigations Unit detective with Immigration and Naturalization Service (INS) to assist with deportation of criminal illegal aliens.
- Dissemination of monthly Gang Activity Summary, Officer Safety Bulletins, and other useful gang-related information.
- Maintain call-out roster for DPSC of Gang Investigations Unit supervisor and detectives for after-hours response to gang activity as requested by patrol supervisors, Duty Officers, or Criminal Investigations Bureau personnel.
- Respond to gang-related incidents and assist with interviews and on-scene investigation at the direction of the investigative authority.

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- In the event of a GIU call-out for a case that will ultimately involve the Major Crimes Division either through immediate response or follow-up investigative responsibilities, the GIU supervisor shall immediately contact the Major Crimes supervisor to advise them of the call-out. The Major Crimes supervisor shall determine if an immediate response by the Major Crimes Division is warranted.
- Conduct formal case follow-up on any case referred to the Gang Investigations Unit with the approval of the Gang Investigations Unit supervisor.
- Regularly meet with police officials from other jurisdictions for the purpose of sharing gang intelligence and gang activity information.
- Coordinate investigations, enforcement operations, and intelligence sharing with members of the Northern Virginia Regional Gang Task Force.

The GIU shall maintain a computerized gang intelligence system to track gang member contact region-wide. The GIU supervisor shall serve as the administrator of this system and shall approve all entries and deletions, ensuring compliance with all state and federal regulations. Gang Investigations Unit detectives shall enter all known gang contacts including links with vehicles, weapons, locations, and known associates. Gang intelligence information from other participating jurisdictions shall also be made accessible through this system. Station-based Gang Coordinators shall assist with data entry by updating the computer information with gang contacts from their individual stations. Officers, investigators, and detectives may access this information through Station Gang Coordinators or by contacting the GIU directly.

While the Fairfax County Intel Unit previously existed, the role and mission of the NVRIC was born and greatly transformed following the events of 9/11/01. The NVRIC became a nationally recognized fusion center in 2004. The NVRIC has a liaison partnership with more than 15 Local, State and Federal law enforcement agencies in the Northern Virginia and larger National Capital Region.

The NVRIC also consists of six additional intelligence analysts that comprise the NVRIC fusion center support network. The analyst's expertise ranges from counterterrorism, to Critical Infrastructure (CIKR) to social media and cyber intelligence. The analysts are also cross trained in traditional tactical analysis support for law enforcement.

The fundamental role of CID/NVRIC is to gather, evaluate, analyze and disseminate information and intelligence data regarding criminal and terrorist activity in the Northern Virginia area while following Fair Information Practices to ensure the rights and privacy of individuals and organizations. The main customers of the CID/NVRIC are law enforcement, other emergency first responders, critical infrastructure partners and other private sector partners on a need to know basis.

- Review all reports forwarded by law enforcement, Fire/EMS, the Intelligence Community (IC), tips from concerned citizens and the private sector.
- Case follow-up of selected reports of individuals or events indicative of terrorist acts (domestic or international) or pre-operational planning (as defined by the SARS-NSI), criminal cases, cases involving threats to law enforcement or other first responders or public servants.
- Provide assistance to the Department, other law enforcement entities, partners in the Intelligence Community (IC) or private sector on a need to know basis.
- De-conflict cases with other agencies throughout the National Capital Region (NCR)
- Provide educational support / training for Intelligence Liaison Officers (ILOs) and other law enforcement, first responders and private sector partners with a need to know
- Departmental liaison to federal, state, local agencies throughout the NCR.

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- Dissemination of multiple products on a daily, weekly and monthly basis. These products include but are not limited to all Officer Safety Alerts, Situational Awareness Bulletins, pass through bulletins from other departments and agencies, Officer Safety Alerts, weekly Need to Know bulletins, Front Line products, Suspicious Activity Reporting (SAR) Monthly, joint SAR product with other fusion centers in the NCR. Ad-hoc intelligence products. joint intelligence products and daily Requests for Information (RFI)
- Maintain call-out roster for DPSC of CID-Intel Supervisor and detectives for after-hours response to suspicious activity, potential terrorist or threat activity when requested by patrol supervisors, duty officers, etc.
- Respond to aforementioned incidents and assist with interviews and on-scene investigation at the direction of the investigative authority.
- Conduct weekly and monthly analyst and detective meetings for the Northern Virginia Area of Responsibility (AOR)
- Conduct formal case follow-up on any case referred to the CID/NVRIC with the approval of the CID/NVRIC supervisor.
- Maintain database of active cases and purging the information in accordance with Federal Privacy Code 28-CFR-23
- Coordinate investigations, enforcement operations, and intelligence sharing with members of the FBI-WFO Joint Terrorism Task Force (JTTF)
- Provide constant outreach and foster relationships and liaison with all partners at all levels of law enforcement and private partners with a need to know

The Criminal Intelligence Unit utilizes undercover operations to attempt to infiltrate and disrupt criminal networks and develop criminal intelligence.

## Benefits

Utilizing Virginia State Code of 1950, as amended, 18.2-46.1, and all other related criminal street gang codes allows the Police Department's GIU to proactively gather intelligence and conduct criminal investigations involving approximately 2,000 active street gang members in the County of Fairfax. This effort has stopped a large number of gang related murders, abductions, malicious woundings, sex crimes, and helped solve the cases that were committed successfully by the street gangs.

Each year, individual gang detectives have an active case load of approximately 90 criminal or intelligence cases that require follow up and specialized knowledge gained through training and experience in dealing with the criminal street gang element. In 2014 alone, 7 of the 10 homicides in Fairfax County were gang related and/or motivated. These gang crimes are solved in large part due to the intelligence gathered by the Gang Unit.

Although comprised of two relatively small units, NVRIC and CIU detectives both disrupt and mitigate potential terrorist acts, threats to public safety and the general public and attempt to infiltrate more covert criminal activity by trying to proactively attack the networks. Some of these cases develop into classified cases adopted by Federal law enforcement agencies and develop into complex cases lasting years so the outcomes aren't always available and difficult to quantify by number.

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## Mandates

The GIU is responsible for investigating and assisting in the investigation of numerous crimes that gang members commit to include:

Virginia Code § 18.2-46.1 (2014)

As used in this article unless the context requires otherwise or it is otherwise provided: "Act of violence" means those felony offenses described in subsection A of § 19.2-297.1. "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities; (ii) which has an identifiable name or identifying sign or symbol; and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction. "Predicate criminal act" means (i) an act of violence; (ii) any violation of § 18.2-31, 18.2-42, 18.2-46.3, 18.2-51, 18.2-51.1, 18.2-51.2, 18.2-51.3, 18.2-51.6, 18.2-52, 18.2-52.1, 18.2-53, 18.2-53.1, 18.2-55, 18.2-56.1, 18.2-57, 18.2-57.2, 18.2-59, 18.2-83, 18.2-89, 18.2-90, 18.2-95, 18.2-108.1, 18.2-121, 18.2-127, 18.2-128, 18.2-137, 18.2-138, 18.2-146, 18.2-147, 18.2-248.01, 18.2-248.03, 18.2-255, 18.2-255.2, 18.2-279, 18.2-282.1, 18.2-286.1, 18.2-287.4, 18.2-289, 18.2-300, 18.2-308.1, 18.2-308.2, 18.2-308.2:01, 18.2-308.4, 18.2-355, 18.2-356, or 18.2-357; (iii) a felony violation of § 18.2-60.3; (iv) a felony violation of § 18.2-248 or of 18.2-248.1 or a conspiracy to commit a felony violation of § 18.2-248 or 18.2-248.1; (v) any violation of a local ordinance adopted pursuant to § 15.2-1812.2; or (vi) any substantially similar offense under the laws of another state or territory of the United States, the District of Columbia, or the United States.

## Trends and Challenges

The number of gang related crimes and violence is growing in the County. Organized gang violence and gang motivated crime continues to be identified as one of the major worries in the National Capital Region as identified in the 2015 CIE report by the Major Cities Chief and Sherriff's Office.

The 5 year Public Safety Staffing Plan requested that a Crime Analyst position be added to the Gang Investigations Unit. As of now, the Gang Investigations Unit is under staffed, having only 9 detectives out of a total of 12 detective positions authorized by the Board of Supervisors.

With regards to combating terrorism and general criminal activity, the cycle of ever changing technology will require flexibility and ever adapting conditions to combat crime and terrorism. Virtually every case investigated by CID involves both social media and use of computer devices in the form of phones, computers and tablets.

The use of technology in modern crimes and the court decisions surrounding this technology is rapid and ever changing. This trend is not anticipated to change anytime in the near future. As such, successful law enforcement will require inherent flexibility and adaptability in investigative practices to remain effective.

The level of expertise and constant education and training required to maintain competency and efficiency with this these advances is very demanding

For the past three years, three CID / NVRIC detectives have been assigned to investigate approximately 100 cases each annually with regard to potential terrorist acts or criminal threats to first responders and public officials. The fourth detective is assigned to FBI-JTTF so their attention and efforts are directed more towards terrorism abatement throughout the National Capital Region (NCR) Three detectives covering all cases involving threats and terrorism for a County of over one million poses quite a challenge, especially in the case of a complex, multi-faceted event.

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## Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
<b>LOB #205: Criminal Intelligence Division, Gang Unit</b>			
<b>FUNDING</b>			
<b>Expenditures:</b>			
Compensation	\$1,558,241	\$1,444,762	\$2,858,382
Operating Expenses	45,483	213,599	58,812
<b>Total Expenditures</b>	<b>\$1,603,724</b>	<b>\$1,658,361</b>	<b>\$2,917,194</b>
General Fund Revenue	\$94,112	\$31,988	\$0
Net Cost/(Savings) to General Fund	\$1,509,612	\$1,626,373	\$2,917,194
<b>POSITIONS</b>			
Authorized Positions/Full-Time Equivalents (FTEs)			
<b>Positions:</b>			
Regular	16 / 16	31 / 31	33 / 33
<b>Total Positions</b>	<b>16 / 16</b>	<b>31 / 31</b>	<b>33 / 33</b>

## Metrics

Metric Indicator	CY 2013 Actual	CY 2014 Actual	CY 2015 Estimate	CY 2016 Estimate	CY 2017 Estimate
Gang Related Homicides	0	7	12	12	12
Gang Related Rapes	2	2	3	3	3
Gang Related Robberies	13	22	29	29	29
Gang Related Abductions	0	9	3	5	5
Gang Related Burglaries	8	12	7	7	7
Gang Related Arsons	0	1	1	1	1
Gang Related Mob Assaults	9	7	3	3	3
Gang Related Malicious Woundings	24	26	17	22	22
Gang Related Assaults	68	81	96	96	96
Gang Related Weapons Violations	7	18	19	19	19
Gang Related Sexual Assaults	5	2	4	4	4
Gang Related Stolen Autos	8	7	7	7	7
Gang Related Drug Cases	84	73	70	70	70
Gang Related Larcenies	83	48	50	50	50
Gang Related Graffiti/Destruction of Property	93	105	72	72	72
Other Gang Related Crimes	169	261	226	226	226
Annual Number of Requests for Information (RFIs)	1,032	864	1,125	1,125	1,125
Annual Number of Cases Developed/Investigated	266	225	715	715	715

The Gang Investigations Unit provides intelligence gathering and investigative support to the entire Fairfax County Police Department and all surrounding jurisdictions that request assistance.

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## Grant Support

**FY 2016 Grant Total Funding:** Federal funding of \$1,091,584 supports the Criminal Intelligence Division LOB. There are no positions and no Local Cash Match is associated with this grant.

The Urban Area Security Initiative (UASI) grant program is funded by the U.S. Department of Homeland Security through the D.C. Homeland Security and Emergency Management Agency as the State Administrative Agency. The UASI Program assists high-threat, high-density urban areas in efforts to build and sustain the capabilities necessary to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. The UASI program is intended to provide financial assistance to address the unique multi-discipline planning, organization, equipment, training, and exercise needs of high-threat, high-density urban areas, and to assist these areas in building and sustaining capabilities to prevent, protect against, mitigate, respond to, and recover from threats or acts of terrorism using the Whole Community approach. Fairfax County, located within the National Capital Region, is designated as one of the top 10 Tier One areas, which makes it one of the regions in the Country most at risk of suffering a terrorist attack.

Grant funding specifically supports contract analysts to increase Fusion Center and National Capital Region public safety partners' ability to collaborate, collect, analyze, share, and disseminate intelligence and investigative information in a timely and actionable manner.