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RECORDS INVESTIGATIVE
MANAGEMENT
Author: [REDACTED] Approver: SWECKER CHRIS
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Precedence: ROUTINE Date: 12/28/2005
To: All Field Offices Attn: All ADICs/SACs
All CID ASACs
All CID SSAs
All CID SSRAs
All SSTF Coordinators
Records Management FBIHQ, Manuals Desk
From: Criminal Investigative
Americas Criminal Enterprise Section/Safe Streets Gang
Unit/Room 3247
Contact: Acting Unit Chief [REDACTED]
Approved By: Swecker Chris
[REDACTED]
Drafted By: [REDACTED] rjk
Case ID #: [REDACTED] (Pending)
66F-HQ-A1246974-ACE (Pending)
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Title: VIOLENT GANG SUBPROGRAM;
AMERICAS CRIMINAL ENTERPRISE SECTION;

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CASE INITIATION AND REPORTING;
281D MATTERS

Synopsis: 281D classification guidance to field offices regarding the violent gang subprogram case initiation and reporting requirements.

Details: The mission of the FBI's Violent Gang Subprogram is to address the Violent Gang Criminal Enterprise (VGCE) problem in the United States by aggressively investigating, disrupting, and dismantling violent gangs, whose activities constitute criminal enterprises.

The Program Management responsibilities of the substantive units at FBIHQ requires extensive reporting requirements to FBIHQ Executive Management, Department of Justice (DOJ), Congress, and the Executive Branch to ensure program compliance, for budgetary and resource allocation matters, for case coordination and intelligence analysis, and to effectively promote the investigative case work conducted by field offices.

This Electronic Communication (EC) will serve as guidance and policy for field offices when opening VGCE investigations. As such, the following VGCE case classification, initiation, and reporting requirements will be implemented.

A) VIOLENT GANG INVESTIGATIVE CLASSIFICATION

Effective 10/01/2005, the opening of VGCE investigations was placed under the 281D classification which is entitled "Criminal Enterprise-Violent Gangs," (reference EC dated 09/30/2005, file number 66F-HQ-1204767, serial 448). The 166E (ITAR-Violent Gangs) classification will no longer be utilized for these types of investigations. All field offices must reclassify all open and pending 166E matters to the 281D classification.

B) CASE INITIATION REQUIREMENTS

1) CASE OPENING APPROVALS-

At a minimum, the Assistant Special Agent-in-Charge program manager and the squad Supervisory Special Agent (SSA) must approve the opening of all 281D substantive case matters.

2) CASE TITLES-

The opening communication case titles must include the VGCE name (if known) and VGCE faction (if applicable). Some examples are as follows:

BLACK DISCIPLES STREET GANG,
ABBA HOUSING PROJECTS;
ROCKFORD, ILLINOIS;
CRIMINAL ENTERPRISE-VIOLENT GANGS;
OO:CHICAGO

HELLS ANGELS MOTORCYCLE CLUB, OAKLAND CHAPTER,
SAN JOSE, CALIFORNIA;
CRIMINAL ENTERPRISE-VIOLENT GANGS;
OO:SAN FRANCISCO

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ARYAN BROTHERHOOD PRISON GANG,
TERRE HAUTE USP,
TERRE HAUTE, INDIANA;
CRIMINAL ENTERPRISE-VIOLENT GANGS;
OO: INDIANAPOLIS

When the VGCE name or faction is unknown, the field office, as soon as possible, must make every attempt through sources, interviews, proffers, and other criminal justice agency information to identify the name of the gang being targeted. The results must be reported via a "Changed Title" EC to the substantive file, the Safe Streets Gang Unit (SSGU), and the National Gang Intelligence Center (NGIC). Also, if appropriate, [REDACTED] codes for this case must be updated at this time.

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3) CHARACTERISTICS-

Summarize any historical background information of the VGCE; known or suspected membership numbers; known or suspected leadership titles; known or suspected organizational structure; known or suspected identifying characteristics for membership; and known or suspected locations of operation.

4) CRIMINAL ACTIVITIES-

Summarize how this VGCE utilizes violence to support the illegal money making activities of the enterprise and/or maintains the influence and control of the enterprise. Summarize how the VGCE may control neighborhoods, members, associates, citizens, and innocent victims by committing specific violent acts which may include murders, shootings, bombings, stabbings, beatings and physical assaults, intimidation, threats, and harassment. Summarize the specific illicit money making activities conducted by this VGCE which may include drug dealing, robberies, burglaries, kidnappings, weapons trafficking, money laundering, extortions, thefts, and frauds.

5) MAIN TARGETS OR LEADERS-

Identify by name, the known or suspected main targets or leaders with their titles, and summarize their key or dominant role in this VGCE.

6) PUBLIC CORRUPTION-

Summarize any known or suspected corruption issues and the relationship the target VGCE maintains over or influences elected, appointed, or civil service government officials, as well as citizens that have regular contact with government agencies. These activities must be coordinated with the appropriate public corruption squad in your field office.

7) MONEY LAUNDERING-

Summarize any known or suspected money laundering activities by describing the process the VGCE may utilize with other individuals or businesses to launder their illegal proceeds. These activities must be coordinated with the appropriate financial crime squad in your field office.

8) SENSITIVE CIRCUMSTANCES-

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Summarize any known or suspected involvement of individuals that fall under the sensitive circumstances criteria for investigations. These are the media, clergy, foreign officials, union officials, minors under 18, participants in the witness security program, attorneys, physicians, significant public figures, and subjects related to national security matters.

9) COMMUNICATIONS-

Summarize any known or suspected communication capabilities of the VGCE to operate its illegal enterprises and conduct its criminal activities. Although not all inclusive, this may include the use of telephones, cell phones, push to talk features, text messaging, two-way radios, internet e-mails, instant messaging, coded/encrypted messages/transmissions, signs, symbols, third party intermediaries, drop locations, messengers, lookouts, safe-havens, overt or covert meetings, and/or written messages.

10) INVESTIGATIVE PLAN-

Summarize the investigative plan to target, disrupt, and dismantle this VGCE. The utilization of the Enterprise Theory of Investigation techniques would serve as a basis for this investigative plan. Also, the utilization of other FBI and criminal justice entities must be addressed when contemplated for use, which would include, but are not limited to, the El Paso Intelligence Center, Field Intelligence Groups, Financial Crimes Enforcement Network, High Intensity Drug Trafficking Area Intelligence Centers, National Drug Intelligence Center, National Gang Intelligence Center, Regional Intelligence Sharing System, the Special Operations Division, as well as any similar type state or local entities. Appropriate utilization of these resources for case deconfliction and coordination is paramount.

11) FEDERAL NEXUS-

Summarize the federal statutes contemplated to be pursued in the prosecution of this gang. These may include, but are not limited to the following:

Title (T) 18 United States Code (USC) 371, Conspiracy;
T 18 USC 521, Criminal Street Gangs;
T 18 USC 922-929, Firearms Offenses;
T 18 USC 1201-1204, Kidnapping;
T 18 USC 1951-1959 Racketeering Offenses;
T 18 USC 1961-1968 Racketeer Influence and Corrupt Organizations;
T 18 USC 2111-2119, Robbery/Burglary Offenses; and/or
T 21 USC 841-963, Drug Offenses.

12) TASK FORCES-

Name and summarize the role of all of the participating agencies, to include the FBI Violent Gang Safe Streets Task Force (VGSSTF). This investigation may also include coordination with or the development of an Organized Crime Drug Enforcement Task Force (OCDETF), a High Intensity Drug Trafficking Area Task Force (HIDTA-TF), a Bureau of Alcohol Tobacco Firearms Explosives (BATFE) Violent Crime Impact Team (VCIT), other established local, state, or federal task forces, and/or other employees or

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squads from participating agencies assigned to the case on an ad-hoc basis.

13) CASE PREDICATION-

Summarize the predication for opening a 281D investigation. Predication would include all pertinent information and documents from one or more of the following: a) FBI criminal informants and/or cooperating witnesses; b) information derived from a Racketeering Enterprise Investigations; c) spin-off cases from other FBI investigations; d) referrals from other criminal justice agencies; e) referrals from other government agencies; and/or f) citizen complaints. Also, identify FBI file numbers where appropriate.

14) [REDACTED]

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15) DESCRIPTIVE DATA-

The descriptive data section of the EC must be completed with the identifiers of the main targets noted. Three or more targets must be identified as this conforms to the FBI definition of a criminal enterprise.

16) SSGU/NGIC LEADS-

Opening communications for 281D matters must be in an EC format and uploaded to the Electronic Case File (ECF), with an administrative lead addressed to the Criminal Investigative Division (CID), Attention: Americas Criminal Enterprise Section (ACES), SSGU, Room 3247; and also a lead addressed to the CID, Criminal Intelligence Section (CIS), NGIC, Room 3644.

17) CASE INDEXING-

At a minimum, all suspects of cases, their monikers, aliases, identifiers, and the name of the gang they belong to must be indexed to the indices system of Automated Case Support (ACS). Also, during the course of the investigation, other names of gangs and gang suspects are documented in case communications, and they must also be indexed to the indices system of ACS.

18) VIOLENT GANG AND TERRORIST ORGANIZATION FILE (VGTOF)-

During the course of the investigation, the squad SSA, case agent, co-case agent, FIG analysts, task force officers, and others assigned to this case must ensure, on a timely basis, that subjects identified within this VGCE case are entered into VGTOF, if they meet the VGTOF requirements (reference EC dated

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01/16/2001, file number [REDACTED]

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19) OTHER-

The FBI considers a violent gang to be a street-level neighborhood-based, community based, or regionally based criminal enterprise; or individuals brought together for specific and ongoing violent crime activities; or prison gangs; or outlaw motorcycle gangs. Traditional organized crime groups or drug trafficking organizations are not to be investigated as violent gangs.

Sometimes the word "gang" is substituted by a variety of other similar words. This list may not be all inclusive, but some substitute words for "gangs" are chapter, clique, club, crew, faction, mob, posse, town, and set."

The FBI's VGCE definition is "a criminal enterprise of three or more individuals, having some sort of organizational structure, acting as a continuing criminal conspiracy, which employs violence, and any other criminal activity to sustain the enterprise."

C) CASE REPORTING REQUIREMENTS

During the course of any investigation, there are numerous types reports and audio/photo/video/electronic media which provide an investigative summary, document significant developments, provide visual information for FBI case promotion, or can be utilized for training purposes. The reporting of this type of case information to FBIHQ are best submitted by uploading such reports with an administrative lead set for CID, ACES, SSGU and to CID, CIS, NGIC or, if necessary, mailing reports and collected media to FBIHQ for SSGU in room 3247 and for NGIC in room 3644. Reports and collected media items must be marked appropriately for sharing with other criminal justice agencies, and for public or non-public use. Reports and collected media would include:

1) ECs or other documents containing case summaries or significant case developments.

2) OCDETF proposals.

3) ECs (operational plans) prepared [REDACTED]

[REDACTED]

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4) Prosecutive reports or informal progress reports to the United States Attorney's Office.

5) Title III affidavits.

6) Legat leads.

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7) Official press releases and electronic (DVD, CD, Video, etc.) copies of news media broadcast reports and press conferences; and original articles of newspaper reports or magazine reports with attached original photos. Coordination with the field office media representative would facilitate this request.

8) Case status reports prepared for the management of participating agencies in joint investigations.

9) Case closing ECs which summarizes the investigation, types of investigative techniques utilized, participating agencies, convicted subjects names and charges convicted of, sentences of convicted subjects, court of jurisdiction, types and amounts of contraband seized, and whether or not the VGCE was dismantled or disrupted.

10) Any audio/photos/video taken during the course of an investigation, or during the arrests or searches conducted during an investigation, and which may be utilized by FBIHQ for training and case promotion purposes. They must be plainly marked indicating for public use or for non-public use only.

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SIGNIFICANT DEVELOPMENTS IN INVESTIGATIONS WHICH MUST BE IMMEDIATELY BROUGHT TO THE ATTENTION OF FBIHQ, PRIOR TO THE EVENT, IF POSSIBLE, INCLUDE THE FOLLOWING:

- a) Significant arrests and searches.
- b) Significant seizures of contraband or money.
- c) Significant complaints, indictments, informations, and convictions.
- d) Investigations which receive significant press coverage.

FBIHQ encourages field offices to communicate any other significant case developments via telephone and e-mail to the applicable SSGU regional coordinator.

If no significant developments have occurred in the investigation for a 180-day period or if FBIHQ has not been advised through ACS of a summary communication or significant development for a 180-day period, a summary EC must be prepared advising FBIHQ of the status of the investigation and the planned investigative activity for the next 180 days. If no investigative activity has occurred during two consecutive 180-day periods, FBIHQ will recommend placing the investigation in the unaddressed work file or closing the investigation, unless

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written justification to the contrary is provided by the field office.

Specific Manual of Investigative and Operational Guidelines (MIOG) changes are expected to follow. Until that time, existing 166E MIOG guidelines and this EC will both serve as policy to the field offices. Supervisors and task force coordinators must bring the contents of this EC to the attention of all agents and task force personnel.

LEAD(s):

Set Lead 1: (Info)

ALL RECEIVING OFFICES

Read and disseminate the contents of this communication to the appropriate administrative and investigative personnel.

CC: 1 - Mr. Ashley (Room 7110)
1 - Mr. Swecker (Room 3090)
1 - [REDACTED] (Room 7825)
1 - [REDACTED] (Room 6032)
1 - [REDACTED] (Quantic)
1 - [REDACTED] (7125)
1 - Mr. Hooten (11703)
1 - [REDACTED] (CJIS)
1 - Mr. Burrus (Room 3090)
1 - [REDACTED] (Room 3206)
1 - [REDACTED] (Room 3867)
1 - [REDACTED] (Room 3576)
1 - [REDACTED] (Room 3883)
1 - Mr. Cunningham (Room 3548)
1 - [REDACTED] (Room 3280)
1 - [REDACTED] (Room 3248)
1 - [REDACTED] (Room 3247)
1 - [REDACTED] (Room 3206)
1 - [REDACTED] (Room 3644)

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- 1 - [REDACTED] (Room 3058)
- 1 - [REDACTED] (Room 3247)
- 1 - [REDACTED] (Room 3247)
- 1 - [REDACTED] (Room 3247)
- 1 - [REDACTED] SOD)
- 1 - [REDACTED] (OFC)
- 1 - SSGU SSAs (1 each) (Room 3247)
- 1 - [REDACTED] (Room 3247)
- 1 - [REDACTED] (Room 3247) (SSGU Guidance Manual)
- 1 - SSGU All Field Office Folder
- 1 - SSGU Policy Guidance Folder

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