

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
446**

**IDENTIFICATION AND MANAGEMENT OF SECURITY THREAT GROUPS
AND DISRUPTIVE GROUPS**

Supersedes: AR 446 (08/22/2005)

Effective date: 08/14/09

AUTHORITY: NRS 209.131, NRS 193.168

RESPONSIBILITY

The Inspector General's Office has primary responsibility for supervising the process for the identification and management, including validation, of STG and/or DG and the affiliated inmates.

A Supervisory Criminal Investigator in the Inspector General's Office, appointed by the Inspector General, is responsible to monitor STG and/or DG activity within the Department and is designated as the Security Threat Group Unit Supervisor.

All Department staff share the responsibility in identifying Security Threat Groups (STG) and/or Disruptive Groups (DG).

All staff will accurately document suspected STG and/or DG members and their activities and ensure all validation and supporting information and documentation is sent to the STG Unit Supervisor in the Inspector General's Office.

446.01 STG AND/OR DG IDENTIFICATION AND MANAGEMENT

1. Security Threat Group (STG) status is to be considered advisory in nature and ordinarily does not require specific actions beyond an increased level of security awareness.
2. A STG is defined as any group or association, with common bond, characteristics or activity, distinguished by criminal or disruptive conduct, which is committed either collectively or individually, and which has the potential to pose any threat to the safety and security of Department facilities, institutions, staff, inmates or the community.

3. A Disruptive Group (DG) is defined as a STG that the Deputy Director of Operations, the Inspector General, and Director of NDOC have certified as formally posing an immediate threat to security, based upon activity, behavior, status; and/or whose activity, behavior or involvement in an event associated with the STG jeopardizes the safety and security of Department facilities, institutions, staff, inmates or the community and cannot be managed by routine measures.
4. A gang is defined pursuant to NRS 193.168 as any combination of persons, organized formally or informally, so constructed that the organization will continue its operation even if individual members enter or leave the organization, which
 - Has a common name or identifying symbol;
 - Has particular conduct, status, and customs indicative of it, and
 - Has as one of its common activities, engaging in criminal activity punishable as a felony...
5. The Department will establish:
 - A. A mechanism to identify, verify, and validate STG and/or DG and their members
 - B. A uniform process to manage STG and DG posing a threat to the security of the institutions, facilities, centers, and camps operated by the Department.
 - C. A procedure for STG and/or DG Due Process hearings and appeals.
6. The Office of the Inspector General will develop confidential procedures to identify, verify, validate and manage STG and/or DG.
7. Each institution/facility will develop institutional procedures to comply with the Inspector General's guidelines in the identification and management of STG and/or DG, and affiliated inmates to each specific group.

446.02 STG AND/OR DG INVESTIGATION AND VALIDATION

1. When STG/DG activity or affiliation is suspected the affected institution/entity will initiate an investigation to gather relevant information concerning groups and any involved inmates.
2. All relevant information and documentation obtained during the information gathering/investigation process concerning a suspected STG/DG or affiliated inmate, will be forwarded to the Inspector General's Office, STG Unit Supervisor or designee for review.

3. When appropriate, the STG Unit Supervisor or designee will validate the concerned STG/DG or affiliated inmate in accordance with established validation criterion outlined in Inspector General procedures.

446.03 STG AND/OR DG DUE PROCESS

1. The Department will establish processes and procedures by which an inmate can question, review and appeal a STG/DG designation/validation.
2. In accordance with established validation criterion an inmate will be notified of suspected STG/DG affiliation via NDOC Form 1598 STG/DG Notification. The NDOC Form 1598 will provide a written summary of what information the suspected affiliation is based upon.
3. The inmate will be advised as to the necessary steps to, if desired, remove themselves from affiliation through the formal debriefing process.
4. Should the inmate disagree with the designation, he can, within 10 days of the written notification, request in writing via his caseworker, a STG/DG Due Process Hearing,
5. The involved casework staff member will notify the Associate Warden of Programs (AWP) of the inmate's request for a STG/DG Due Process Hearing.
6. The AWP will log the STG/DG Due Process Request from the inmate and notify the inmate in writing with a date and time that the STG/DG Due Process Hearing will occur. The inmate must be given at least 72 hours of preparation time to be able to present evidence if he believes the suspected affiliation is incorrect. The inmate may not call any witnesses.
7. The STG/DG Due Process Hearing panel will consist of the Warden or designee, which can be the AWO or AWP of the facility or a staff member with sufficient supervisory experience and knowledge, the inmate's caseworker, and one other staff member of the facility. Another assigned staff member, typically from the involved institution, will present the STG/DG information on the inmate. All STG/DG Due Process Hearings will be tape-recorded.
8. The hearing will begin by informing the inmate why he is suspected of being affiliated with a STG/DG, including presenting the facts about why it is believed the inmate should be validated. All evidence will be presented at that time and this evidence will be attached to the hearing document packet.

9. Confidential information that has been proven reliable will be presented, off tape and outside the presence of the involved inmate, to the hearing panel.
10. Once the evidence and facts have been presented, the inmate will be given the opportunity to present his rebuttal, including being allowed to speak on his behalf. He can present evidence both verbally and documents to support his case. He cannot call witnesses.
11. Once the Due Process hearing panel has heard and reviewed all information and documentation, the tape will be turned off. The inmate and presenting staff member will leave the room and the panel will deliberate. Once the deliberation has ended and the panel has voted whether the inmate should be validated or not, the inmate and the presenting staff member will be allowed back into the room. The tape recorder will be restarted and the inmate will be made aware of the panel's decision by advising him that he is or is not to be validated as affiliated with a STG/DG.
12. Each panel member will indicate on NDOC form 1598 whether they agree, disagree or need additional information or investigation, with the inmate's suspected affiliation.
13. A copy of the panel's decision will remain with the STG/DG file documentation and a copy of the panel's decision will be placed into the inmate's I file.
14. The inmate will be provided information explaining to him how he can remove himself from the affiliation through a debriefing process.
15. The inmate will also be afforded the opportunity to appeal the panel's decision should he want to do so. The panel will provide the inmate with documents explaining how the appeal process works.
16. After the STG/DG Due Process Hearing has been finalized, the inmate has 10 working days from the hearing date to appeal the panel's decision. The inmate will complete the appeal form, STG/DG Affiliation Appeal Form, NDOC form 1599. The form will be forwarded to the Deputy Director for review. The Deputy Director can agree with the panel, send the matter back for further investigation and review, or overturn the panel's decision for validation of the inmate.
17. Once the Deputy Director has made his determination or recommendation, the appeal form will be returned to the Inspector General's Office and the Associate Warden of Programs for the involved facility. The Associate Warden of Programs is responsible to notify the involved inmate.

18. A copy of the written results of the Due Process Hearing appeal will be placed with the STG/DG file documentation for the inmate.
19. Every 180 days, the inmate's affiliation status with a STG/DG will be reviewed by or through regular case work review at the institution wherein the inmate is housed.

446.04 REVIEW AND/OR REMOVAL OF A STG/DG DESIGNATION

1. During regular reviews, casework staff will confirm with the inmate any validated STG/DG designation.
2. Inmates who express an interest in debriefing and having the STG/DG designation removed will be referred to the Inspector General's Office, with notification to the Associate Warden of Programs for tracking purposes.
3. The STG Unit Supervisor or designee in the Inspector General's Office will review the inmate's classification with Offender Management Division.
4. The STG Unit Supervisor or designee in the Inspector General's Office will document the inmate's request within NOTIS and assign the matter for investigation. The investigation and follow up may be assigned to a staff member within the institution or to the STG Unit Supervisor or designee in the Inspector General's Office.
5. The debriefing interview will be tape recorded, with the tape, documentation, and report from the staff member to be returned to the STG Unit Supervisor or designee in the Inspector General's Office. The assigned staff member will make recommendations and summarize the interview contents in their report.
6. The STG Unit Supervisor or designee in the Inspector General's Office will review the staff member's recommendation with the Offender Management Division designee.
7. The safety of the inmates must be of primary concern if they are to be reviewed for transfer or a change in custody.

446.05 STG/DG RECORDS CONFIDENTIALITY

1. No unauthorized dissemination of STG/DG information or documentation should be done.

2. Institutional/facility STG/DG procedures and all related documentation and information will be confidential.
3. STG/DG information and documentation is held on a Need to Know, Right to Know basis.

446.06 STG/DG TRAINING

1. The STG Unit Supervisor, with approval of the Inspector General, will identify and designate Department trainers in the identification and management of Security Threat Groups and/or Disruptive Groups.
2. Department STG/DG training lesson plans shall be approved by the STG Unit Supervisor.

446.07 APPLICABILITY

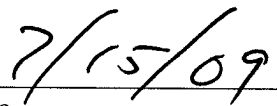
1. This regulation applies to all employees and inmates of the Department.
2. This regulation requires an OP from the Inspector General's Office

REFERENCES

None.



Howard Skolnik, Director



Date