

## INTRADEPARTMENTAL CORRESPONDENCE

August 29, 2019  
14.2

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** CALGANG CRIMINAL INTELLIGENCE SYSTEM AUDIT (AD NO. 18-016)

### RECOMMENDED ACTION

1. It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached CalGang Criminal Intelligence System Audit.

### DISCUSSION

Audit Division conducted the CalGang Criminal Intelligence System Audit to evaluate compliance with Department policies and procedures.

If additional information regarding this audit is required, please contact Commander Jeffrey Bert, Office of Constitutional Policing and Policy, at (213) 486-8730.

Respectfully,



MICHEL R. MOORE  
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT

***CALGANG CRIMINAL INTELLIGENCE  
SYSTEM AUDIT  
(AD No. 18-016)***



Conducted by  
AUDIT DIVISION

MICHEL R. MOORE  
Chief of Police

*August 2019*

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AD No. 18-016

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# CALGANG CRIMINAL INTELLIGENCE SYSTEM AUDIT

Conducted by  
Audit Division  
2018

## PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for 2018, Audit Division (AD) conducted an audit of the CalGang® Criminal Intelligence (CalGang) System. Each audit objective evaluated the existing policies for the administration of the CalGang System and determined whether the CalGang System was used in accordance with Department policies and procedures.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.<sup>1</sup>

## BACKGROUND

The CalGang System software was developed in 1997 to provide an accurate, timely, and electronically generated database of statewide gang-related intelligence information. The CalGang System provides current gang information to law enforcement agencies (user agencies), allowing those agencies to improve the efficiency of their criminal investigations, as well as enhance officer and public safety. The CalGang System is considered a pointer system, in which the records within the system point or refer to source documents outside the CalGang System. Law enforcement agencies use information contained in records external to the CalGang System as the basis for any official actions, rather than the entries in the CalGang System.

The CalGang System qualifies as a criminal intelligence system because it allows users to collect, store, and share intelligence information about individuals suspected of, but not necessarily convicted of being involved in criminal activity.<sup>2</sup> The operations and access to the CalGang System is managed by a cooperative agreement between the California Department of Justice (DOJ), the California Gang Node Advisory Committee, and California law enforcement agencies. The CalGang System administration is divided into regional data *nodes* maintained by Node Agencies/Administrators responsible for ensuring all users in that node adhere to CalGang System policies.<sup>3</sup> The Department and the Los Angeles County Sheriff's Department are responsible for gang activities occurring within the County of Los Angeles, and serve as Node Administrators.

In August 2016, the California State Auditor issued an audit report titled, "The CalGang Criminal Intelligence System: As the Result of Its Weak Oversight Structure, It Contains

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<sup>1</sup> U.S. Government Accountability Office, *Generally Accepted Government Auditing Standards*, December 2011 Revision.

<sup>2</sup> "Criminal Intelligence Systems Operation Policies," Title 28 *Code of Federal Regulations*, pt. 23, 2017, pp. 470-474.

<sup>3</sup> California Gang Node Advisory Committee, *CalGang System Policies and Procedures*, March 2018, Chap. 7, "Node Agency/Node Administrator Responsibilities," pp. 6-7.

Questionable Information That May Violate Individuals' Privacy Rights."<sup>4</sup> The report asserted that user agencies could not demonstrate they had established reasonable suspicion and did not have adequate support for criteria used to enter individuals into the CalGang System. The report also stated that the user agencies did not notify the necessary parties prior to entering juveniles into the CalGang System.

As a result, the California State Auditor recommended the following:

- Review gangs entered into CalGang to ensure the gangs meet reasonable suspicion requirements (see Objective No. 1);
- Review gang members that have been entered into CalGang to ensure the existence of proper support for each criterion (see Objective No. 2[b]);
- Purge from CalGang any records for gangs or gang members that do not meet the criteria for entry (see Objective No. 2[g]);
- Develop or modify as necessary all policies and procedures related to CalGang to ensure they align with state law, CalGang Policies, federal regulations, and when appropriate, the state guidelines (Administrative Order No. 14)<sup>5</sup>;
- Implement appropriate policies and procedures for entering gangs (see Objective Nos. 2[a], 2[e], and 2[f]);
- Perform supervisory reviews of gangs and gang member entries (see Objective No. 2[c]);
- Implement policies and procedures for performing periodic CalGang record reviews (see Objective No. 4); and,
- Implement policies and procedures for complying with Juvenile notification requirements (see Objective No. 2[d]).

## **PRIOR AUDITS**

This is the first CalGang System audit the Department conducted.

## **SCOPE AND METHODOLOGY**

The scope of the audit focused on policies and procedures related to the CalGang System. Due to different areas of testing, the objectives had different populations, sample sizes, and audit time periods.

For Objective Nos. 1 through 3(a), AD obtained the populations from the CalGang System via Gang and Narcotics Division (GND). Auditors utilized a one-tail test with a 95 percent confidence level and five percent error rate to determine statistically valid random sample selections for these objectives.

For Objective No. 1, the population consisted of 945 gangs which included all gangs currently in the CalGang System from inception of the system until January 24, 2019; these entries were

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<sup>4</sup> California State Auditor, "The CalGang Criminal Intelligence System," August 2016, <https://www.auditor.ca.gov/pdfs/reports/2015-130.pdf>, accessed on June 6, 2019.

<sup>5</sup> The Department implemented Administrative Order No. 14 on December 14, 2017.

made by the Department and other law enforcement agencies. Auditors excluded gangs for which the Department had no involvement, resulting in a sample size of 58 gangs.

For Objective Nos. 2(a-g), the population consisted of 2,334 new gang members and associates entered into the CalGang System by the Department and other law enforcement agencies during the audit period May 1, 2018, through October 31, 2018. Auditors deselected entries by other law enforcement agencies during the sample selection process, resulting in a sample size of 60, comprised of 54 gang members and 6 gang associates.<sup>6</sup>

For Objective No. 3(a), the population consisted of 4,641 user accounts, which included all users of the Department, sworn and civilian, currently in the CalGang System from inception of the system until January 24, 2019. The population included active and deactivated user accounts, resulting in a sample size of 61.<sup>7</sup>

For Objective No. 3(b), AD obtained the Confidential Termination Report generated by Personnel Division, which contained a population of 418 employees separated from the Department by Deployment Period. The audit period selected was April 15, 2018, through November 24, 2018. Auditors cross-referenced those employees with the CalGang System to determine that 42 of those employees had access to the CalGang system prior to being separated from the Department. Audit Division used those 42 employees as the sample size.

Table No. 1 summarizes the audit periods, populations, and sample sizes.

**Table No. 1 – Audit Scope**

Objective No.	Audit Period	Population	Sample Size
1	All Gangs in CalGang as of January 24, 2019	945 Gangs	58
2(a-g)	May 1, 2018, through October 31, 2018	2,334 Gang Members	60
3a	All User Accounts as of January 24, 2019	4,641 User Accounts	61
3b	April 15, 2018, through November 24, 2018	42 Employees Separated from the Department	42
4	2018	Two Audit Reports	2

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<sup>6</sup> The terms *gang associate* and *gang affiliate* are used interchangeably in the *Department Manual*; however, *gang associate* is most current (*Administrative Order No. 14*, December 14, 2017).

<sup>7</sup> The population included deactivated user accounts due to the nature of the criteria. The users were trained regarding the CalGang System since the inception of the system.

**SUMMARY OF FINDINGS**

This audit encompassed a total of 11 objectives/sub-objectives that were tested. The Department had a 95 percent compliance rate or higher for most objectives, with the exception of Objective No. 2(c) Gang Membership Supervisory Oversight, which had a 93 percent compliance rate.

The following table summarizes the audit findings.

**Table No. 2 – Findings by Objectives**

<b>Objective No.</b>	<b>Audit Objectives</b>	<b>No. Meeting Standards/ Evaluated</b>	<b>Percent Meeting Standards</b>
<b>1</b>	<b>Maintaining Gang Entries in the CalGang System</b>	<b>58/58</b>	<b>(100%)</b>
<b>2</b>	<b>Entry of Gang Member Into the CalGang System</b>		
2(a)	Gang Membership Criteria	60/60	(100%)
2(b)	Gang Membership Source Documentation	60/60	(100%)
2(c)	Gang Membership Supervisory Oversight	56/60	(93%)
2(d)	Written Notification of Gang Inclusion Letter	59/60	(98%)
2(e)	Duplicate Entry of Gang Member	60/60	(100%)
2(f)	Gang Membership Entry Date	58/59	(98%)
2(g)	Purged Accounts	57/60	(95%)
<b>3</b>	<b>User Accounts</b>		
3(a)	User Access Training	61/61	(100%)
3(b)	Deactivation of Accounts	42/42	(100%)
<b>4</b>	<b>Audits</b>	<b>2/2</b>	<b>(100%)</b>

**DETAILED FINDINGS**

**Objective No. 1 – Maintaining Gang Entries in the CalGang System**

**Criteria**

“Criminal Intelligence Systems Operating Policies,” Title 28 *Code of Federal Regulations*, pt. 23.20(a), 2017, p. 461, states:

A project shall collect and maintain criminal intelligence information concerning an individual only if there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity.

*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, "Line Procedures," Section 269.10, "Definitions," states:

**Gang.** A group of three or more persons who have a common identifying sign, symbol, or name, and whose members individually or collectively engage in, or have engaged in, a pattern of definable criminal activity creating an atmosphere of fear and intimidation within the community.

**Note:** Any group, including outlaw motorcycle gangs, prison gangs, posses, taggers, party crews, subversive groups and their associated membership that qualify under the definition of a gang may be maintained in the Cal/Gang System.

### **Audit Procedures**

Auditors reviewed each of these 58 existing Los Angeles area gangs in the CalGang System to verify whether a gang continued to meet the criteria to remain in the CalGang System. If so, the Department met the standards for this objective.

### **Findings**

Each (100%) of the 58 gangs entered into the system met the standards.

### **Objective No. 2 – Entry of Gang Member Into the CalGang System**

Prior to entering a new gang member into the CalGang System, certain requirements must be met. Audit Division measured whether the requirements were met in Objective Nos. 2(a-g).

### **Objective No. 2(a) – Gang Membership Criteria**

#### **Criteria**

*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, "Line Procedures," Section 269.10, "Definitions," states:

**Active Gang Member.** A juvenile or adult who has been positively identified and documented as a gang member under the California Department of Justice's (DOJ) approved criteria.

**Active Affiliate Gang Member.** A juvenile or adult who is identified as one who associates with a gang, but is not necessarily a full member.



*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, "Line Procedures," Section 269.20, "Criteria For Gang Member Documentation," states:

**Gang Membership Criteria.** Indicators of gang membership shall include at least two of the following criteria:

- Subject has admitted to being a gang member;
- Subject has been arrested for offenses consistent with gang activity;
- Subject has been identified as a gang member by a reliable informant/source;
- Subject has been seen associating with documented gang members;
- Subject has been seen displaying gang symbols and/or hand signs;
- Subject has been seen frequenting gang areas;
- Subject has been seen wearing gang dress; or,
- Subject is known to have gang tattoos.

When two or more of these criteria are met, a Subject Identification Card, Form 12.16.09, shall be completed by a gang officer or gang support staff for entry into the Cal/Gang System. Subject Identification Cards shall not be completed for individuals that do not meet the criteria.

**Gang Associate Criteria.** An individual who meets two of the above criteria and is detained with a documented gang member, may be designed as a gang associate and entered into the Cal/Gang System. The gang officer or gang support staff must document the name of the documented gang member with whom the associate is with, the gang member's date of birth, and his or her Cal/Gang number on the associates Subject Identification Card.

### **Audit Procedures**

Auditors examined each of the 60 Subject Identification Cards, Form 12.16.09, to determine whether two or more gang membership criteria were checked. If the individual was a gang associate, auditors also verified that the name of the documented gang member with whom the associate was detained, was reported in the CalGang System.

If two or more criteria were checked off on the Subject Identification Card, Form 12.16.09 for a gang member, then it met the standard for this objective. If two or more criteria were checked off on the Subject Identification Card, Form 12.16.09, and the name of the documented gang member with whom the associate was detained as reported in the CalGang System for a gang associate, then it met the standards for this objective.

## Findings

Each (100%) of the 60 met the standards.

**Table No. 3 – The Frequency of Criteria Used When Initially Entering Gang Members/Associates into CalGang System**

Criteria (Reasons for Entering Gang Members/Associates into CalGang System)	Frequency of Use for Initial Entry
Subject has admitted to being a gang member	31
Subject has been arrested for offenses consistent with gang activity	15
Subject has been identified as a gang member by a reliable informant/source	4
Subject has been seen associating with documented gang members	36
Subject has been seen displaying gang symbols and/or hand signs	6
Subject has been seen frequenting gang areas	47
Subject has been seen wearing gang dress	16
Subject is known to have gang tattoos	33

## Objective No. 2(b) – Gang Membership Source Documentation

### Criteria

California Department of Justice, *CalGang System Policies and Procedures Manual*, March 2018, Chap. 10, “Data Entry,” p. 12, states:

**Source Documentation:** Agencies entering information into CALGANG® on gang member and associates shall maintain documentation, which adequately supports each entry. Once an individual is entered into the CALGANG® system, the original document or abstract used to establish the criteria shall be maintained by the entering agency in the event of any legal challenges.

### Audit Procedures

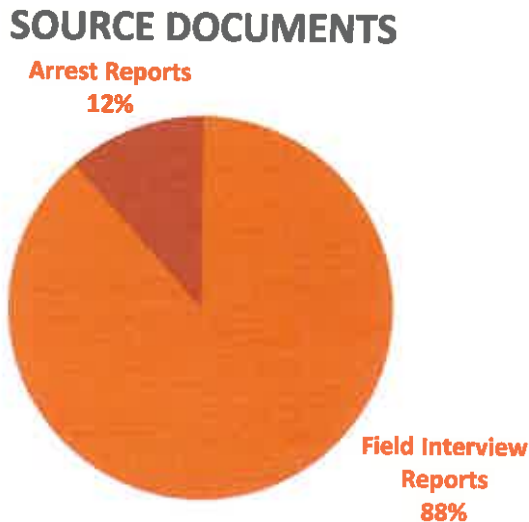
Auditors reviewed each of the 60 new gang member/associate entries into the CalGang System by the Department to determine whether the source documentation, such as arrest reports or field interview reports, supported the initial entry. If so, the Department met the standards for this objective.

### Findings

Each (100%) of the 60 new gang member/associate entries met the standards.

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**Figure No. 1 – The Proportion of Source Documents Which Supported the Initial Entry**



**Objective No. 2(c) – Gang Membership Supervisory Oversight**

**Criteria**

*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, “Line Procedures,” Section 269.30, “Contacts with Gang Members,” states:

The Subject Identification Card must be reviewed, approved and signed by a GIT supervisor, prior to it being entered into the Cal/Gang System.

**Audit Procedures**

Auditors reviewed each of the 60 Subject Identification Cards, Form 12.16.09, to determine if it was signed by a Gang Impact Team (GIT) supervisor. Auditors cross-referenced the name and serial number from the Subject Identification Card against Training Evaluation and Management System (TEAMS) II to determine if a GIT supervisor reviewed and signed the Subject Identification Card.<sup>8</sup> Auditors also cross referenced with the Deployment Planning System to determine if the supervisor was assigned to GIT when the Subject Identification Card was signed.

If the supervisor was assigned to a GIT when the Subject Identification Card, Form 12.16.09 was signed, the Department met the standards for this objective.

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<sup>8</sup> An officer is considered a supervisor at a rank of Sergeant I or Detective II and above.

## Findings

Fifty-six (93%) of 60 met the standards. The findings were forwarded to the respective commanding officers. The following four did not meet the standards due to a lack of a supervisory signature; however, there were no other issues identified within these Subject Identification Cards, Form 12.16.09.

**Table No. 4 – Objective No. 2(c) Findings**

ARCA	Findings
North Hollywood	One Subject Identification Card for an adult gang member was completed but signed by a police officer instead of a GIT supervisor.
Rampart	One Subject Identification Card for an adult gang member was completed but signed by a police officer instead of a GIT supervisor.
Southwest	Two Subject Identification Cards for two adult gang members were completed but not signed.

## Objective No. 2(d) – Written Notification of Gang Inclusion Letter

### Criteria

*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, “Line Procedures,” Section 269.70, “Notification to Gang Member or Associate,” states:

...**Prior** to entering the person’s information into the shared gang database, gang enforcement personnel shall send the involved person a Written Notification of Inclusion Letter, Form 12.16.06.

The Written Notification of Inclusion Letter shall advise him or her of the reason why he or she was identified as an active gang member or associate gang member and that his or her name shall be added to the shared gang database. Gang enforcement personnel shall also immediately send the involved juvenile’s parent(s) or guardian(s) (when the person to be added is a juvenile) a copy of the Written Notification of Inclusion Letter.

### Procedure for the Request for Removal from the Shared Gang Database:

- Procedure to Address request for Removal from the Shared Gang Database Guide, Form 12.16.22;
- Request for Removal from the Shared Gang Database, Form 12.16.12; and,
- Response to Request for Removal from the Shared Gang Database Letter, Form 12.16.14

Note: Penal Code Section 186.34(e) mandates that a law enforcement agency respond, in writing or in person, via the Department’s Response to Request for Removal from the Shared Gang Database Letter, to an authorized requestor (a person, or if the person is under 18 years of age, his or her parent or guardian, who is designated as a suspected

gang member or associate in a shared gang database, or an attorney working on his or her behalf) **within 30 calendar days of the receipt of the Request for Removal from the Shared Gang Database.**

### **Audit Procedures**

Auditors reviewed each of the 60 gang member/associate packages to determine if a copy of the Written Notification of Inclusion Letter was included. Of the 60 gang members, three of the gang members were juveniles. Of the 60 gang members, two of the adult gang members contested the Written Notification of Inclusion Letter and requested to be removed from the CalGang System.

If the gang member/associate packages contained a copy of the Written Notification of Inclusion Letter, then the Department met the standards for this objective.

### **Findings**

Fifty-nine (98%) of 60 met the standards. The following one, did not.

**Table No. 5 – Objective No. 2(d) Finding**

<b>Area</b>	<b>Finding</b>
Southeast	One Written Notification of Inclusion Letter for an adult gang member was not found in the gang member's package.

### **Objective No. 2(e) – Duplicate Entry of Gang Member**

#### **Criteria**

California Department of Justice, *CalGang System Policies and Procedures Manual*, March 2018, Chap. 10, "Data Entry," p. 12, states:

Every effort will be made to prevent duplicate records from entering the system. Prior to obtaining a new CALGANG® number, it is mandatory that each subject be searched through the system at the node level to ascertain if he/she has already been assigned a CALGANG® number.

#### **Audit Procedures**

Auditors searched each of the 60 gang member/associate names in the CalGang System to determine if there was a duplicate entry. The Department met the standards for this objective if no duplicate entries were identified.

#### **Findings**

Each (100%) of the 60 entries met the standards.

**Objective No. 2(f) – Gang Membership Entry Date**

**Criteria**

*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, “Line Procedures,” Section 269.70, “Notification to Gang Member or Associate,” states:

Gang enforcement personnel who identify a person as an active gang member or associate gang member shall enter the person’s information into the shared gang database. **Prior** to entering the person’s information into the shared gang database, gang enforcement personnel shall send the involved person a Written Notification of Inclusion Letter, Form 12.16.06.

**Audit Procedures**

Auditors reviewed the date on each of 59 Written Notification of Inclusion Letters and the gang member/associate entry date in the CalGang System to determine if a gang member/associate was entered the CalGang System after the date indicated on the Written Notification of Inclusion Letter.<sup>9</sup> If so, then the Department met the standards for this objective.

**Findings**

Fifty-eight (98%) of 59 met the standards. The following one, did not.

**Table No. 6 – Objective No. 2(f) Finding**

Area	Finding
Southeast	One adult gang member was entered the CalGang System on August 4, 2018, prior to sending the Written Notification of Inclusion Letter on August 14, 2018.

**Objective No. 2(g) – Purged Accounts**

**Criteria**

*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, “Line Procedures,” Section 269.80, “Inspections and Purging of Cal/Gang Records,” states:

**Purging.** The Cal/Gang System will automatically purge individuals from the database after five years of inactivity...

**Audit Procedures**

Auditors reviewed each gang member/associate’s latest criteria entry to determine if it was scheduled to purge in five years. If so, then the Department met the standards for this objective.

<sup>9</sup> One Written Notification of Inclusion Letter was not found in the gang member package; therefore, it was excluded from the sample size (see Objective No. 2[d]).

## Findings

Fifty-seven (95%) of 60 met the standards. The following three, did not.

**Table No. 7 – Objective No. 2(g) Findings**

Area	Findings
Topanga	An adult gang member's latest activity was entered the CalGang System on October 31, 2018, and is scheduled to purge on December 17, 2023, which is more than five years.
Southwest	A juvenile gang member's latest activity was entered into the CalGang System on February 2, 2018, and is scheduled to purge on July 24, 2023, which is more than five years.
Foothill	An adult gang member's latest activity was entered into the CalGang System on December 3, 2017, and is scheduled to purge on January 8, 2024, which is more than five years.

The CalGang System allows the users to enter the date of contact with the gang member/associate and the date the data was entered into the CalGang System for each incident. The purging of five years of inactivity refers to the date of contact with the gang member/associate. The findings occurred due to the users inputting the date of data entry opposed to the date of contact with the gang members, resulting in delay of purging within five years of inactivity.

## Objective No. 3 – User Accounts

Proper training is required to gain access to the CalGang System, and once the user leaves the Department, the user account must be deactivated. Audit Division measured whether the requirements were met in Objective Nos. 3(a-b).

### Objective No. 3(a) – User Access Training

#### Criteria

*Department Manual*, 1<sup>st</sup> Quarter 2018, Vol. 4, "Line Procedures," Section 269.50, "Cal/Gang System and Gang File Security," states:

**Access.** Accessing the Cal/Gang System requires proper training and a password.

#### Audit Procedures

Auditors reviewed each of the 61 CalGang System User Forms to determine if a user received the CalGang System training. If so, then the Department met the standards for this objective.

#### Findings

Each (100%) of the 61 CalGang System User Forms met the standards.

### **Objective No. 3(b) – Deactivation of Accounts**

#### **Criteria**

California Department of Justice, *CalGang System Policies and Procedures Manual*, March 2018, Chap. 8, “User Account Management,” p. 9, states:

The organization responsible for local CALGANG® system information or technology resource is also responsible for the prompt deactivation of accounts when necessary. For example, accounts for individuals separated from their Agencies shall be removed, disabled, and/or revoked from the CALGANG® system when the Node Administrator is notified of the separation. In addition, the accounts of individuals that change agencies shall require removal and/or disabling to ensure changes in access privileges are appropriate to the change in job function or location. In these cases, a new CALGANG® User Agreement shall be completed reflecting the individual’s correct Agency and access level.

#### **Audit Procedures**

Auditors reviewed each of the 42 user accounts to verify if an account was deactivated once the employee was separated from the Department. If so, the Department met the standards for this objective.

#### **Findings**

Each (100%) of the 42 user accounts met the standards.

### **Objective No. 4 – Audits**

#### **Criteria**

California Department of Justice, *CalGang System Policies and Procedures Manual*, March 2018, Chap. 13, “Audits and Inspections,” p. 14, states:

Each Node will be audited on an annual basis, by other Node Administrators (Node Administrators cannot audit their own records) and DOJ personnel, using a statistically valid sample size. Potential inaccuracies or deficiencies will be reported to the owning Node Administrator for review and possible correction or removal from the system.

#### **Audit Procedures**

Gang and Narcotics Division started conducting audits regarding the CalGang System with DOJ effective January 1, 2018. During the audit period of 2018, AD determined the Department received two audit letters from the DOJ.



Auditors reviewed the information in each of the two letters from the DOJ to verify that an audit was conducted with the Department Node Administrator. If so, then the Department met the standards for this objective.

### **Findings**

Each (100%) of the two audits met the standards. Below are the results for each audit conducted by GND:

- May 2018 Audit: 50/52 (96%) number meeting the standards. Two records were not in compliance and were removed from the database;
- September 2018 Audit: 49/50 (98%) number meeting the standards. One record was not in compliance and was removed from the database.

### **OTHER RELATED MATTER**

Auditors conducted a review of the internal controls with regard to the approval process for individuals being entered into the CalGang system, as well as individuals who contest being entered into the CalGang system. Audit Division identified areas in which the oversight for these processes may be enhanced through additional internal controls (See Recommendation Nos. 2-4).

During the research phase of the audit, AD determined that *Department Manual*, Vol 4, Section 269.30 addresses the notification of juvenile's parents or guardians; however, there is a discrepancy between the section and California Penal Code Section 186.34, as it pertains to parent notification requirements.

California Penal Code Section 186.34(c)(1) requires law enforcement agencies to provide a written notice to the person in a shared gang database. If the person is under 18 years of age, a written notice is to be provided to the juvenile in question **and** his or her parent or guardian.

Currently, *Department Manual*, Vol. 4, Section 269.30, states:

After completing the Subject Identification Card or if a card already exists, the Area Database Coordinator (DC) or assigned personnel shall complete a Written Notification of Inclusion Letter, Form 12.16.05, and either mail or provide the letter in person to the designated person **or** juvenile's parent(s) or guardian(s).

### **RECOMMENDATION**

1. It is recommended Gang and Narcotics Division work with Risk Management and Policies Division in revising *Department Manual*, Vol. 4, Section 269.30, to mirror California Penal Code Section 186.34(c)(1) regarding written notices for juveniles (*Objective No. 2(d) and Other Related Matter*).

2. It is recommended the Office of Operations implement a supervisory review of available documents and relevant Body Worn and/or Digital In-Car Video prior to any new individual being added into CalGangs to verify, to the extent possible, the accuracy of the reason for entry into the CalGang System (*Other Related Matter*).
3. It is recommended the Office of Operations and Gang and Narcotics Division implement periodic inspections of a sample of documents and video related to updates to existing subjects in Cal Gangs by the divisional, bureau, and GND gang coordinators to verify, to the extent possible, the accuracy of the reason for entry into the CalGang System (*Other Related Matter*).
4. It is recommended the Office of Operations implement mandatory video reviews and better tracking of any appeals by individuals contesting their inclusion into the Cal Gang System (*Other Related Matter*).

### **ACTIONS TAKEN/MANAGEMENT'S RESPONSE**

The findings were validated with the Assistant to the Director of Office of Operations and the commanding officer of Gang and Narcotics Division who was in general agreement with the audit findings.

**INTRADPARTMENTAL CORRESPONDENCE**

July 1, 2019  
8.4

**Addendum**

**TO:** Commanding Officer, Audit Division

**FROM:** Commanding Officer, Gang and Narcotics Division

**SUBJECT:** CAL-GANG AUDIT

Gang and Narcotics Division has received and reviewed the Cal Gang Audit completed by Audit Division. The Commanding Officer is in general agreement with the findings and actions have been initiated to address these findings.

If you have any questions or require additional information, please feel free to contact Lieutenant Eric Bixler, Gang and Narcotics Division, Gang Support Section, at (213) 486-5330.



**ANTHONY ODDO, Captain**  
Commanding Officer  
Gang and Narcotics Division