

OFFICE OF THE CHIEF OF POLICE

ADMINISTRATIVE ORDER NO. 22

December 9, 2019

SUBJECT: CONTACTS WITH GANG MEMBERS – REVISED; MISCELLANEOUS FORMS AND GUIDES PERTAINING TO THE GANG ENFORCEMENT DETAIL AND GANG IMPACT TEAM OPERATIONS IN REFERENCE TO THE SHARED GANG DATABASE – REVISED; AND, SHARED GANG DATABASE SPREADSHEET GUIDE, FORM 12.16.24 – ACTIVATED

PURPOSE: A recent inspection of Department gang protocols identified a need to modify existing policy to be compliant with California Assembly Bill No. 90 (the Fair and Accurate Gang Database Act of 2017), which includes Penal Code Sections 186.34 and 186.35, relating to criminal gangs. This Order revises Department Manual Section 4/269.30, *Contacts with Gang Members*, to reflect current procedures. Additionally, this Order activates the Shared Gang Database Spreadsheet Guide, Form 12.16.24, and revises various forms pertaining to the Gang Enforcement Detail and Gang Impact Team operations in reference to the Shared Gang Database.

PROCEDURE:

- I. CONTACTS WITH GANG MEMBERS – REVISED.** Department Manual Section 4/269.30, *Contacts with Gang Members*, has been revised and is attached with the revisions indicated in italics.
- II. MISCELLANEOUS FORMS AND GUIDES PERTAINING TO THE GANG ENFORCEMENT DETAIL AND GANG IMPACT TEAM OPERATIONS IN REFERENCE TO THE SHARED GANG DATABASE – REVISED.** Various Department gang forms and guides have been revised to be consistent with current procedures.
- III. SHARED GANG DATABASE SPREADSHEET GUIDE, FORM 12.16.24 – ACTIVATED.** The Shared Gang Database Spreadsheet Guide, Form 12.16.24, has been activated and is attached. The Shared Gang Database Spreadsheet Guide is to be used as a reference guide when completing the Gang Database Spreadsheet.

FORM AVAILABILITY: The revised and activated forms are accessible in E-Forms, and the Forms Use Link has been updated on the Department's Local Area Network. Copies are attached for immediate use and duplication. All other versions of these forms shall be marked "obsolete" and placed into the divisional recycling bin.

AMENDMENT: This Order amends Section 4/269.30 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30



MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

**DEPARTMENT MANUAL
VOLUME IV
Revised by Administrative Order No. 22, 2019**

269.30 CONTACTS WITH GANG MEMBERS.

Investigations and Arrests. When the arrest or preliminary investigation reveals that the crime is gang-related, the reporting officer shall check the "Extra Copy" box on the front of the Arrest Report, Form 05.02.00, or the Investigative Report, Form 03.01.00, indicating that the copies shall be sent to the appropriate Area gang detectives. The reporting officer shall ensure that the narrative fully explains the rationale for determining that the arrest or investigation is gang-related.

Note: Suspected gang membership information may also be further investigated by contacting the Area Gang Impact Team or Bureau Gang Coordinator.

Field Identification. Officers who contact a suspected active or associate gang member and determine that the completion of a Field Interview Report (FI), Form 15.43.00, is appropriate, shall document at least two required gang membership criteria (as listed in Department Manual Section 4/269.20, *Criteria For Gang Member Documentation*) and may include the following additional information on the FI:

- How gang membership was established (e.g., admits gang membership, tattoos, attire); and,
- The specific type of gang activity involved.

Upon supervisory review and approval of *any source document* (e.g., *Arrest Report, Crime Report, FI*) containing gang-related information, it shall be routed to the Area GIT where the *source document* was completed for review and verification. Only a GIT officer, sergeant, detective or gang support staff may complete a Subject Identification Card, Form 12.16.09, if the criteria for a gang member or gang associate has been met.

The Subject Identification Card *shall* be reviewed, approved and signed by a GIT supervisor, prior to it being entered into the Cal/Gang System. After completing the Subject Identification Card, the Area Database Coordinator (ADC) or assigned personnel, shall complete a written Notification of Inclusion Letter, Form 12.16.05. *The Written Notification of Inclusion Letter shall advise the individual of the reason why he or she was identified as an active gang member or associate gang member and that his or her name will 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.* The ADC shall then enter the new information into the Cal/Gang System as soon as practicable. *The source documents containing gang information shall be securely stored inside the gang office (Department Manual Section 4/269.70).*

Note: Gang officers and other personnel who have completed the required Cal/Gang training may also input and update information into the Cal/Gang System.

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



P.O. Box 30158
Los Angeles, CA 90030
Telephone: _____
TDD: (877) 275-5273
Ref #: _____
(of entity typing corresp.)

Written Notification of Inclusion Letter

Date: _____

On _____, _____, was involved in a field contact with officers from the Los Angeles Police Department (LAPD). As a result, information relative to his or her participation in or association with, an active street gang was discovered. The contact met the minimum criteria required by State of California guidelines to designate him or her as a suspected gang member or associate. Therefore, his or her name and gang association will be entered into the LAPD's shared gang database. The basis of the designation in the database is listed on the attached "Shared Gang Database Spreadsheet."

The LAPD's shared gang database is used only to identify possible suspects in criminal investigations. It is not used for the purposes of employment checks, housing or welfare benefits, background investigations, or non-criminal immigration proceedings.

If a shared gang database determination and inclusion was made by a participating agency, you have the right to contest, in writing, this designation and the inclusion into the shared gang database. If you wish to contest the designation, you must complete a Request for Removal from the Shared Gang Database, Form No. 12.16.12. The LAPD will review your request and any written documentation you submit. You will be notified of the decision regarding your request for removal from the shared gang database within 30 calendar days of the receipt of your valid request.

Should you have any questions regarding this correspondence, please call Officer/Detective _____, Serial No. _____, _____ Area, at phone number _____.

Respectfully,

MICHEL R. MOORE
Chief of Police

_____, Captain
Commanding Officer

_____ Area

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



P.O. Box 30158
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Telephone: _____
TDD: (877) 275-5273
Ref #: _____
(of entity typing corresp.)

ERIC GARCETTI
Mayor

Response to Request for Removal from the Shared Gang Database Letter

Dear _____,

Date: _____

On or about _____, the Los Angeles Police Department (LAPD) received a request from you contesting the inclusion of _____ in the LAPD's computerized shared gang database. After careful review of your request, it was determined that:

- The inclusion was compliant with existing State of California guidelines. Attached is a spreadsheet indicating the basis of designation for the inclusion.
- The inclusion did not meet the criteria; therefore, all of his or her information will be removed from the database.

The LAPD's shared gang database is used only to identify possible suspects in criminal investigations. It is not used for the purposes of employment checks, housing or welfare benefits, background investigations, or non-criminal immigration proceedings.

Should you have any questions regarding this correspondence or have inquiries regarding referral programs, please call Officer/Detective _____,
Serial No. _____, _____ Area, at phone number _____.

Respectfully,

MICHEL R. MOORE
Chief of Police

_____, Captain
Commanding Officer

_____ Area

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www.joinLAPD.com

12.16.14 (10/19)

Shared Gang Database Spreadsheet

Date of Contact	Type of Contact	Criteria established as a result of that contact	Officer involved in contact/observation Name & Serial No.	Additional Information
Example: 06/19/2019	Example: FI, ARR,	Example: 1, 4, 6, 7		

Type of Contact Abbreviation Examples:

ARR – Arrest FI – Field Interview CONV – Conviction CE – Consensual Encounter TS – Traffic Stop
 INT – Interview INV – Investigation PED – Ped Stop RC – Radio Call

Criteria established as a result of that contact:

1. Subject has admitted to being a gang member.
2. Subject has been arrested for offenses consistent with gang activity.
3. Subject has been identified as a gang member by a reliable informant/source.
4. Subject has been seen associating with documented gang members.
5. Subject has been seen displaying gang symbols and/or hand signs.
6. Subject has been seen frequenting gang areas.
7. Subject has been seen wearing gang dress.
8. Subject is known to have gang tattoos.

Database Coordinator: _____

Serial No.: _____

Signature: _____

Date: _____

Reviewing Supervisor: _____

Serial No.: _____

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Shared Gang Database Spreadsheet

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6. Subject has been seen frequenting gang areas.
7. Subject has been seen wearing gang dress.
8. Subject is known to have gang tattoos.

Database Coordinator: _____

Serial No.: _____

Signature: _____

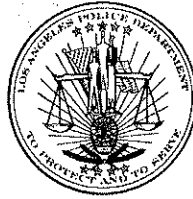
Date: _____

Reviewing Supervisor: _____

Serial No.: _____

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



P.O. Box 30158
Los Angeles, CA 90030
Telephone: _____
TDD: (877) 275-5273
Ref #: _____
(of entity typing corresp.)

ERIC GARCETTI
Mayor

Response to Request for Status in the Shared Gang Database Letter

Dear _____,

Date: _____

On _____, the Los Angeles Police Department (LAPD) received a written request from you inquiring about the inclusion of _____ into the shared gang database.

After review it was determined that:

- The person whose status is being requested is not in the database.
- The person whose status is being requested is in the database.

If the person whose status is being requested is in the database and the designation was made by the LAPD, the basis of the designation is described on the attached spreadsheet. **If the designation was not made by the LAPD, further information may be obtained by contacting the agency making the designation,** as follows:

Outside Agency Name: _____ Phone Number: _____

The LAPD's shared gang database is used only to identify possible suspects in criminal investigations. It is not used for the purposes of employment checks, housing or welfare benefits, background investigations, or non-criminal immigration proceedings.

If a shared gang database designation and inclusion was made by LAPD, you have the right to contest, in writing, this designation and the inclusion into the shared gang database. If you wish to contest the designation, you must complete a Request for Removal from the Shared Gang Database, Form 12.16.12. The LAPD will review your request and any written documentation you submit. You will be notified of the decision regarding your request for removal from the shared gang database within 30 calendar days of the receipt of your valid request.

Should you have any questions regarding this correspondence or have inquiries regarding referral programs, please call Officer/Detective _____, Serial No. _____, _____ Area, at phone number _____.

Respectfully,

MICHEL R. MOORE
Chief of Police

_____, Captain
Commanding Officer

_____ Area

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www.joinLAPD.com

12.16.16 (10/19)

Written Notification of Inclusion Procedure Guide

Note: A Written Notification of Inclusion Letter, Form 12.16.05, **shall** be mailed or provided in person, **as soon as practicable**, to the designated person that is suspected of being a gang member or associate **prior** to the individual being entered into the shared gang database. If the suspected person is a juvenile, the notification shall also be sent to the subject's parent or guardian, per California Penal Code (PC) Section 186.34.

Exception: Department personnel are not required to complete a Written Notification of Inclusion Letter if it would compromise a criminal investigation or compromise the health or safety of a minor, per PC Section 186.34(c)(1).

Note: A Written Notification of Inclusion Letter, Form 12.16.05, shall have a Shared Gang Database Spreadsheet attached when mailed or provided to the individual suspected of being a gang member or associate.

Any questions related to the completion of any shared gang database-related guides and forms may be directed to the Commanding Officer, Gang and Narcotics Division, at (213) 833-3700.

A. Gang Impact Team Officer's Responsibilities.

- Review all source document(s) [e.g., Field Interview Reports (FI Cards), Form 15.43.00 and Arrest Reports, Form 05.02.00] to determine if they meet the standard for entry into the shared gang database.
- Forward the source document(s) to a Gang Enforcement Detail (GED) supervisor for review and approval before entering the document into the shared gang database.

B. Gang Impact Team Supervisor's Responsibilities.

- Review all source document(s) submitted by GED personnel.
- If the source document(s) is approved for inclusion into the shared gang database, forward the source documents to the Area Database Coordinator (ADC).

C. Area Database Coordinator's Responsibilities.

The ADC is a pre-designated person assigned to GED who is responsible for conducting investigations related to written notifications (i.e., Written Notification of Inclusion Letter), status requests (i.e., Request for Status in the Shared Gang Database, Form 12.16.04) and removal requests (i.e., Request for Removal from the Shared Gang Database, Form 12.16.12).

The ADC is designated by the Gang Impact Team (GIT) Officer in Charge (OIC) or the GIT supervisor in the absence of the OIC. A secondary ADC or GIT personnel assigned with ancillary duties reflecting the ADC's duties, shall also be identified by the GIT OIC or GIT supervisor in the OIC's absence.

Written Notification of Inclusion Procedure Guide

The following are the ADC's responsibilities:

- Review all source document(s) to be entered into the shared gang database;
- Prepare a Written Notification of Inclusion Letter;
- Prepare a Shared Gang Database Spreadsheet;
- Forward the source document(s) and Written Notification of Inclusion Letter (including the Shared Gang Database Spreadsheet) to the GIT OIC or GIT supervisor in the OIC's absence for review and approval;
- Once approved by the GIT OIC or GIT supervisor in the OIC's absence, the ADC shall ensure that the Letter, Spreadsheet and source document(s) are presented to the Area commanding officer for his or her approval and signature;
- Mail the **original** signed Written Notification of Inclusion Letter and Shared Gang Database Spreadsheet to the designated person, and to the parent or legal guardian, if the person is a juvenile. When applicable, the person can be served in person (e.g., homeless, in-custody, or unverifiable address);
- Forward a **copy** of the Written Notification of Inclusion Letter, Shared Gang Database Spreadsheet and the source documents to the GED personnel who are responsible for entering the information into a shared gang database; and,
- Ensure that all the related documentation are kept on file in the GED office, separate from other gang files.

If an exception is being invoked for the Written Notification of Inclusion Letter, the ADC shall:

- Complete an Employee's Report, Form 15.07.00, that includes a detailed justification for the exception.
- Forward the **original** Employee's Report to the GIT OIC or GIT supervisor in the OIC's absence and the Area/division commanding officer for review.
- File a signed **copy** of the Employee's Report, as well as any applicable documentation related to the request, separate from the gang files, in the Area gang office.

Request for Status in the Shared Gang Database Procedure Guide

Note: The Response to Request for Status in the Shared Gang Database Letter, Form 12.16.16, and an attached Shared Gang Database Spreadsheet (if applicable), shall be mailed or provided in person to the designated person/requestor within 30 calendar days of the receipt of the Request for Status in Shared Gang Database, Form 12.16.04. This procedure is based on the requirements of California Penal Code Section 186.34 and 186.35, and the court cases interpreting those statutes.

- Any questions related to the completion of any shared gang database-related guides and forms may be directed to the Commanding Officer, Gang and Narcotics Division, at (213) 833-3700.

Note: An adult or a juvenile who is designated as a gang member or associate in a shared gang database, the juvenile's parent or guardian, or an attorney working on his or her behalf, may request information from any law enforcement agency regarding a person's inclusion in the shared gang database, as well as his or her designated status as a gang member or associate in the shared gang database. The aforementioned persons are known as **authorized persons** who can make such a request. They may also request information as to the basis for the designation for the purpose of contesting the designation. Such requests shall be made in writing, via a Request for Status in the Shared Gang Database form.

A. Officer's Responsibilities. If an authorized person requests for status in the Shared Gang Database, the officer shall:

- Provide the person with a Request for Status in the Shared Gang Database and instruct the person to complete the form.
- Write the officer's name, rank, serial number, and date received in the designated portions at the bottom of the completed form.
- **Immediately** forward the completed form to the GIT Officer in Charge (OIC) or GIT supervisor in the OIC's absence.

B. Area Database Coordinator's Responsibilities.

- Verify that the person making the request is an authorized person.
- Investigate whether the person is included in the shared gang database.
- Record the findings of the investigation in the "Comments" section at the bottom of the Request for Status in the Shared Gang Database.
- Complete a Response to Request for Status in the Shared Gang Database Letter, Form 12.16.16. The Response to Request for Status in the Shared Gang Database Letter shall indicate if the person is or is not in a shared gang database and the law enforcement agency (LEA) that designated them.

Exception: Department personnel are not required to complete a Response to Request for Status in the Gang Database Letter, if it would **compromise a criminal investigation or compromise the health or safety of a minor, per Penal Code Section 186.34(c)(1) or 186.34(d)(2).**

Request for Status in the Shared Gang Database Procedure Guide

Note: The criteria used to establish the person's designation shall be provided in the Response to Request for Status in the Shared Gang Database Letter. If the original designation was completed by a **LEA other than the Los Angeles Police Department**, the Area Database Coordinator shall contact the LEA that originally designated the person in the database to inquire if that LEA is claiming an exception to the request. If no exemption is being invoked by the LEA, the Response to Request for Status in the Shared Gang Database Letter will indicate the outside LEA's name and phone number and that the requestor must contact the other listed LEA for further information.

- If the person is included in the shared gang database, complete a Shared Gang Database Spreadsheet.
- Forward to the GIT OIC or GIT supervisor in the OIC's absence the following documents:
 - A copy of the Request for Status in the Shared Gang Database form.
 - The **original** Response to Request for Status in the Shared Gang Database Letter.
 - The original Shared Gang Database Spreadsheet (if applicable).
- Ensure that the following documents are kept on file in the Area gang office, separate from other gang files:
 - The **original** Request for Status in the Shared Gang Database.
 - A copy of the Response to Request for Status in the Shared Gang Database Letter.
 - A copy of the Shared Gang Database Spreadsheet (if applicable).
 - A copy of the Employee's Report (when applicable).
 - All related documentation.

If an exception is being invoked for the Response to Request for Status in the Gang Database Letter, the ADC shall:

- Complete an Employee's Report, Form 15.07.00, that includes a detailed justification for the exception;
- Forward the original Employee's Report to the GIT OIC or GIT supervisor in the OIC's absence and the Area/division commanding officer for review; and,
- File a signed copy of the Employee's Report, as well as any applicable documentation related to the request, separate from the gang files, in the Area gang office.

C. Gang Impact Team Officer in Charge's Responsibilities.

- Assign the Area Database Coordinator (ADC) or GIT personnel assigned with ancillary duties reflecting the ADC's duties, to investigate whether the person is included in the shared gang database;
- Review the following documents:
 - The completed copy of the Request for Status in the Shared Gang Database form;

Request for Status in the Shared Gang Database Procedure Guide

- The **original** Response to Request for Status the Shared Gang Database Letter; and,
 - The **original** Shared Gang Database Spreadsheet (if applicable).
- Forward the document(s) to the Area commanding officer for his or her review; and,
 - Ensure that **all** Area personnel receive training regarding status inquiries.

D. Area/Division Commanding Officer's Responsibilities.

- Review the completed **copy** of the Request for Status in the Shared Gang Database form.
- Review and sign the **original** Response to Request for Status in the Shared Gang Database Letter.
- Review the **original** Shared Gang Database Spreadsheet (if applicable).
- Ensure that the **original** Response to Request for Status in the Shared Gang Database Letter and the original Shared Gang Database Spreadsheet (if applicable) **are mailed or provided in person to the designated person, or the parent or legal guardian of such a juvenile, or an attorney working on his or her behalf, within 30 calendar days of the receipt of the Request for Status in the Shared Gang Database form.**
- Provide the file copies of the Response to Request for Status in the Shared Gang Database Letter and the Shared Gang Database Spreadsheet (if applicable) to the ADC.

Request for Removal from the Shared Gang Database Procedure Guide

Note: The Response to Request for Removal from the Shared Gang Database Letter, Form 12.16.14, must be mailed or provided in person to the designated person within 30 calendar days of the receipt of the Request for Removal from the Shared Gang Database, Form 12.16.12. This procedure is based on the requirements of California Penal Code (PC) Sections 186.34 and 186.35, and the court cases interpreting those statutes.

- Any questions related to the completion of any shared gang database-related guides and forms may be directed to the Commanding Officer, Gang and Narcotics Division, at (213) 833-3700.

A person that is designated as a suspected gang member or associate in a shared gang database, or his or her parent or guardian, if the person is a juvenile, or an attorney working on his or her behalf, must submit written documentation, via the Request for Removal from the Shared Gang Database form, if contesting the designation.

A. Investigating Officer's Responsibilities.

If an authorized person makes such a request, the officer shall:

- Provide the person with a Request for Removal from the Shared Gang Database form.
- Forward this completed Request for Removal from the Shared Gang Database form to the Gang Impact Team (GIT) Officer in Charge (OIC) or a GIT supervisor in the OIC's Absence who will assign the Area Database Coordinator (ADC) or GIT personnel assigned with ancillary duties reflecting the ADC's duties to investigate.

B. Area Database Coordinator's Responsibilities.

- Verify that the person making the request is an authorized person.

Note: An **authorized person** is the adult or juvenile who is designated as a suspected gang member or associate in a shared gang database, the juvenile's parent or guardian, or an attorney working on his or her behalf.

- Investigate if the designated person qualifies to be in the Shared Gang Database.
- Record the findings of the investigation in the "Comments" section at the bottom of the Request for Removal from the Shared Gang Database form.
- Complete the Response to Request for Removal from the Shared Gang Database Letter.

Exception: Department personnel are not required to complete a Response to Request for Removal from the Shared Gang Database Letter, if it would **compromise a criminal investigation or compromise the health or safety of a minor, per California PC Sections 186.34(c)(1) or 186.34(d)(2).**

- If the Request for Removal from the Shared Gang Database is being denied, attach a copy of the Shared Gang Database Spreadsheet that was previously provided with the Written Notification of Inclusion Letter, Form 12.16.05, or the Request for Status in the Shared Gang Database, Form 12.16.04.

Request for Removal from the Shared Gang Database Procedure Guide

- Forward the following documents to the GIT OIC or GIT supervisor in the OIC's absence:
 - Completed Request for Removal from the Shared Gang Database form;
 - Response to Request for Removal from the Shared Gang Database letter; and,
 - Copy of the original Shared Gang Database Spreadsheet (if applicable).
- Ensure that the contest regarding the inclusion in the shared gang database, as well as the determination of the contested designation, is documented in the Shared Gang Database.

Note: On an annual basis, the Department is required to report the number of persons that contest their inclusion and the determinations made regarding their inclusion into the Shared Gang Database, to the California Department of Justice.

- Ensure that copies of the following documents are kept on file in the Area gang office, separated from other gang files:
 - Request for Removal from the Shared Gang Database form.
 - Response to Request for Removal from the Shared Gang Database Letter.
 - Copy of the original Shared Gang Database Spreadsheet (if applicable).
 - All related documentation.
- Remove a person from the Shared Gang Database if it is determined that the person does not qualify to be in the Shared Gang Database.
- If an exception is being invoked for a Response to Request for Removal from the Shared Gang Database Letter:
 - Complete an Employee's Report, Form 15.07.00, that includes a detailed justification for the exception; and,
 - File a signed copy of the Employee's Report, as well as any applicable documentation related to the request, separately from the gang files, in the Area gang office.

C. Gang Impact Team Officer in Charge's Responsibilities.

- Assign his or her Area Database Coordinator or GIT personnel assigned with ancillary duties reflecting the ADC's duties, to investigate if the designated person qualifies to be in the Shared Gang Database.
- Review:
 - Copy of the completed Request for Removal from the Shared Gang Database form;
 - **Original** Response to Request for Removal from the Shared Gang Database Letter; and,
 - Copy of the original Shared Gang Database Spreadsheet (if applicable).
- Forward the documents to the Area commanding officer for his or her review.

Request for Removal from the Shared Gang Database Procedure Guide

D. Area/Division Commanding Officer's Responsibilities.

- Review the **copy** of the completed Request for Removal from the Shared Gang Database form.
- Review and sign (if appropriate): the **original** Response to Request for Removal from the Shared Gang Database Letter.
- Review: a copy of the original Shared Gang Database Spreadsheet (if applicable).
- Provide the ADC copies of the following:
 - Request for Removal from the Shared Gang Database form;
 - The Response to Request for Removal from the Shared Gang Database Letter; and,
 - A copy of the original Shared Gang Database Spreadsheet (if applicable).
- Ensure that the **original** Response to Request for Removal from the Shared Gang Database Letter, and a copy of the original Shared Gang Database Spreadsheet (if applicable) are **mailed or provided in person** to the designated person, the parent or guardian of such a juvenile, 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.

Review Process in Superior Court. A person who has contested his or her designation as a gang member or associate may seek judicial review of the Department's determination within 90 calendar days of the Department's mailing or personal service of the determination, per PC Section 186.35. The person may do this by filing a petition for review with a superior court.

The contesting person is responsible for serving the City, via the City Clerk, a copy of the petition of review. If any copies of the petition are served to the Department, immediately forward the copies to the concerned GIT OIC or GIT supervisor in the OIC's absence. The GIT OIC or GIT supervisor in the OIC's absence shall ensure that the copy of the petition is forwarded **immediately** to the Los Angeles City Attorney's Office. The final decision from a superior court regarding a removal request shall be obeyed and a copy of the court's decision shall be stored with the concerned Area's gang office and documented in the shared gang database.

Note: Personnel with a right to know and a need to know may utilize the shared gang database only for criminal investigations. Information contained in the shared gang database shall not be referenced in reports. The use of the system shall not be used for the purposes of military screening, employment checks, housing or welfare benefits, background investigations, or non-criminal immigration proceedings.

Completing the Shared Gang Database Spreadsheet Procedure Guide

- **The Shared Gang Database Spreadsheet must be provided with each of the following documents:**
 - **The Written Notification of Inclusion, Form 12.16.05;**
 - **The Response to Request for Removal from the Shared Gang Database Letter, Form 12.16.14; and,**
 - **The Response to Request for Status in the Shared Gang Database Letter, Form 12.16.16, if the person has been included in the shared gang database.**
- **The instructions provided herein are based on the requirements of California Penal Code (PC) Sections 186.34 and 186.35, and the court cases interpreting those statues.**

Note: The Spreadsheet is only a sample form and should not be interpreted to require a minimum number of contacts or multiple types of gang criteria per contact. Although there are rows available to record multiple contacts with an individual, it is possible for an individual to meet the criteria for inclusion in the gang database based on only one contact where multiple gang criteria is observed. Conversely, it is also possible that only one type of gang criteria is observed during a single contact and inclusion in the gang database will be based on multiple contacts rather than one.

Instructions for completing the “Date of Contact” column.

Provide the date of the Field Interview contact, arrest, or conviction (whichever is applicable).

Instructions for completing the “Type of Contact” column.

Indicate whether the contact was a field interview, arrest, conviction, etc.

Instructions for completing the “Criteria established as a result of that contact” column.

Identify the relevant criteria used to establish inclusion in the shared gang database.

Instructions for completing the “Additional Information” column.

If Criteria 1 – “Subject has admitted to being a gang member” is listed:

- Identify the name of relevant gang.
- Identify subject’s gang moniker, if any.

If Criteria 2 – “Subject has been arrested for offenses consistent with gang activity” is listed:

- Identify relevant Penal Code section.

Completing the Shared Gang Database Spreadsheet Procedure Guide

- Describe how the offense is consistent with gang activity. For example, if the offense is gang tagging, describe the tagging or indicate if the tagging was the name of the subject's gang moniker or the name of the gang itself.
- If the arrest resulted in charges being filed or a conviction, include the case number.

If Criteria 3 – “Subject has been identified as a gang member by a reliable informant/source” is listed:

- Identify the gang to which the subject has been identified as a member.
- Identify the informant/source only if law enforcement (e.g., peace officer, probation, parole) or a judge.

If Criteria 4 – “Subject has been seen associating with documented gang members” is listed:

- Identify if the subject admits to associating with a gang member.
- Identify if the subject was seen associating with a gang member.
- Identify the gang(s) to which the member(s) associates.

If Criteria 5 – “Subject has been displaying gang symbols and/or hand signs” is listed:

- Describe the symbols and/or hand signs and the gang associated with the symbols and/or hand signs (examples listed below):
 - Hand signs where the gang member forms a "C" for crip.
 - Hells Angel belt buckle depicting death head (skull with wings).
 - Ring with devils horn used by MS-13 gang members.
 - Houston Astros baseball logo used by Hoover gang members.
 - New York Yankees baseball logo used by Barrio Van Nuys.

If Criteria 6 – “Subject has been seen frequenting gang areas” is listed:

- Identify the street address/location related to gang activity.
- Identify the gang associated with the area.

If Criteria 7 – “Subject has been seen wearing gang dress” is listed:

- Identify the gang dress (e.g., colors and clothing).
- Identify the gang associated with the dress.

If Criteria 8 – “Subject is known to have gang tattoos” is listed:

- Describe the scar(s), mark(s), tattoo(s) or other distinctive feature(s).
- Identify where they are located.
- Identify the gang with which the tattoos are associated.