

# Criminal Organizations

## 420.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the La Mesa Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

### 420.1.1 DEFINITIONS

Definitions related to this policy include:

**Criminal intelligence system** - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

## 420.2 POLICY

The La Mesa Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this Department to collect and share relevant information while respecting the privacy and legal rights of the public.

## 420.3 CRIMINAL INTELLIGENCE SYSTEMS

No Department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for Department use.

Any criminal intelligence system approved for Department use should meet or exceed the standards of 28 CFR 23.20.

The approved systems will be developed and maintained by those deemed by the Services Lieutenant or the authorized designee as the Custodian of Records. A detective assigned to the Special Investigations Unit (SIU) will generally be deemed the Custodian of Records for the criminal intelligence system. The Lieutenant or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

### 420.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, field interview (FI), photo or other relevant document into an authorized criminal intelligence

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system. If entries are made based upon information that is not on file with this Department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Unit. Any supporting documentation for an entry shall be retained by the Records Unit in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Unit are appropriately marked as intelligence information. The Police Services Manager may not purge such documents without the approval of the designated supervisor.

#### 420.3.2 GANG DATABASES

The Chief of Police may approve participation by the SIU in a shared criminal gang intelligence database, such as CALGANG®. Members must obtain the requisite training before accessing any such database (11 CCR 751.6).

It is the SIU supervisor's responsibility to determine whether any report or FI contains information that would qualify for entry into the database. Prior to designating any person as a suspected gang member, associate, or affiliate in a shared gang database; or submitting a document to the Attorney General's office for the purpose of designating a person in a shared gang database; or otherwise identifying the person in a shared gang database, the SIU supervisor shall provide written notice to the person and, if the person is under the age of 18, to his/her parent or guardian of the designation and the basis for the designation, unless providing that notification would compromise an active criminal investigation or compromise the health or safety of a minor. Notice shall also describe the process to contest the designation (Penal Code § 186.34).

The person, an attorney working on his/her behalf, or his/her parent or guardian (if the person is under 18 years of age) may request, in writing, information as to whether the person is designated as a suspected gang member, associate, or affiliate in a shared gang database accessible by the Department, the basis for that designation, and the name of the agency that made the designation. The Department shall respond to a valid request in writing within 30 days, and shall provide the information requested unless doing so would compromise an active investigation or compromise the health and safety of the person if he/she is under 18 years of age (Penal Code § 186.34).

The person, or his/her parent or guardian if the person is under 18 years of age, may contest the designation by submitting written documentation, which shall be reviewed by the SIU supervisor. If it is determined that the person is not a suspected gang member, associate, or affiliate, the person shall be removed from the database. The person and the parent or guardian shall be provided written verification of the Department's decision within 30 days of receipt of the written documentation contesting the designation and shall include the reason for a denial when applicable (Penal Code § 186.34).

The SIU supervisor should forward reports or FIs to the SIU after appropriate database entries are made. The supervisor should clearly mark the report/FI as gang intelligence information.

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It is the responsibility of the SIU supervisor to retain reports and FIs in compliance with the database rules and any applicable end user agreement.

Records contained in a shared gang database shall not be disclosed for employment or military screening purposes, and shall not be disclosed for the purpose of enforcing federal immigration law unless required by state or federal statute or regulation (Penal Code § 186.36).

### **420.4 TEMPORARY INFORMATION FILE**

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the Department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

#### **420.4.1 FILE CONTENTS**

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible Department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Unit or Property - Evidence Unit, but should be copies of, or references to, retained documents such as copies of reports, FI forms, the Communications Center records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

#### **420.4.2 FILE REVIEW AND PURGING**

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

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### **420.5 INFORMATION RECOGNITION**

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Sergeant to train members to identify information that may be particularly relevant for inclusion.

### **420.6 RELEASE OF INFORMATION**

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

- (a) **Right to know:** Requesting agency has the right to obtain criminal offender record information pursuant to court order, statute, or case law.
- (b) **Need to know:** Requesting agency has the need to obtain criminal offender record information in order to execute official responsibilities.
- (c) Under **NO** circumstances will copies of criminal intelligence system files or printouts be distributed to anyone (including law enforcement officers) without the permission of the Services Lieutenant.

Information from a temporary information file may only be furnished to Department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

### **420.7 CRIMINAL STREET GANGS**

The SIU supervisor should ensure that there are an appropriate number of Department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with:
  1. Any organization, associate or group of three or more persons that meets the definition of a criminal street gang under Penal Code § 186.22(f).

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2. Identification of a person as a criminal street gang member and criminal street gang-related crimes.
  3. The California Street Terrorism Enforcement and Prevention Act (Penal Code § 186.21 et seq.), associated crimes and what defines a criminal street gang (Penal Code § 186.22).
- (b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.
  - (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

### 420.7.1 FILE SECURITY

Criminal intelligence systems are confidential and must be kept in a secure location with file access restricted to authorized personnel as deemed by the Services Lieutenant. The system files will be stored in file cabinets located in the SIU office and will be locked when unattended. Physical security of the system files is imperative in order to maintain the confidentiality of the information stored in the file and to ensure the protection of the individual's right of privacy. No system file is to be removed from the SIU office. No copies will be made of system files. System file information and photographs will be requested through the Custodian of Records.

### 420.8 TRAINING

The Training Sergeant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

#### 420.8.1 SHARED GANG DATABASE TRAINING

The Training Sergeant should ensure that members who are authorized users of a shared gang database receive the required training from the California Department of Justice (DOJ) or an instructor certified by the DOJ that includes comprehensive and standardized training on the use of shared gang databases, and any other associated training required by the Department (Penal Code § 186.36; 11 CCR 751.6).

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**420.9 GANG REGISTRATION**

See attachment: [Gang Registration Forms.pdf](#)

## **Attachments**

## **Gang Registration Forms.pdf**



**La Mesa Police Department  
Gang Registration  
8085 University Avenue, La Mesa, CA 91942  
(619) 667-1400  
GANG REGISTRATION REQUIREMENTS**

Your responsibility to register is a 5 year requirement from the date of court imposition:

1. You must register with the Chief of Police or the Sheriff of the county in whose jurisdiction you reside within 10 days of release from custody or imposition of sentencing if no custody time is served.
2. You understand that your responsibility to register as a gang offender lasts for 5 years from your last imposition of registration requirement pursuant to Penal Code section 186.30.
3. You understand that within 10 days of changing your residence address you must inform, in writing, the registering agency with whom you last registered, of your new address.
4. You understand that when changing your residence within the State of California you must register with the new local law enforcement agency having jurisdiction over your residence within 10 days of your relocation.
5. You understand that it is your duty to know the legal requirements of Penal Code section 186.30, including changes to the law, which may be made in the future.
6. You understand that the registration requires that the registering policing agency take your photograph and fingerprints.
7. You understand that if you knowingly violate any provisions of Section 186.30 you are guilty of a misdemeanor.
8. You understand that if you knowingly fail to register pursuant to Section 186.30 and are subsequently convicted of any of the offenses specified in Section 186.30, or, if you are a juvenile, that if a petition is subsequently sustained for a violation of any of the offenses specified in Section 186.30, you shall be punished by an additional term of imprisonment in the state prison for 16 months, or 2, or 3 years.

**Registration can be done only on Wednesdays 7:00 AM to 12:00 PM**

### **Court ordered gang registration receipt**

(Expires 10 days from date)

This receipt is to show proof of compliance that the subject listed has registered with the La Mesa Police Department as a Registered Gang member per 186.30 of the California Penal Code.

|                                                                |                      |
|----------------------------------------------------------------|----------------------|
| Name of Registrant (Last Name, First Name)                     | Date of Birth        |
| Residence Address                                              |                      |
| City, State, Zip                                               |                      |
| Name of Registering Agency<br><b>La Mesa Police Department</b> | Date of Registration |
| Signature of Registering Officer / ID                          |                      |
| Signature of Registrant                                        |                      |

**LA MESA POLICE DEPARTMENT  
COURT ORDERED GANG REGISTRATION PROGRAM  
Per section 186.30 California Penal Code**

**For Official Law Enforcement Use Only**

**Type or print neatly and complete all fields. Be sure to have the registrant sign this form and initial each registration requirement.**

|                                                                                                                                                                                                                                                                                                                                                             |               |               |                       |                                      |                                                          |                                     |                |                          |                    |     |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------|--------------------------------------|----------------------------------------------------------|-------------------------------------|----------------|--------------------------|--------------------|-----|--|
| <input type="checkbox"/> MOVING INTO / WITHIN THIS JURISDICTION                                                                                                                                                                                                                                                                                             |               |               |                       |                                      | <input type="checkbox"/> MOVING OUT OF THIS JURISDICTION |                                     |                |                          |                    |     |  |
| FULL NAME OF REGISTRANT                                                                                                                                                                                                                                                                                                                                     |               |               | Last                  |                                      |                                                          | First                               |                |                          | Middle             |     |  |
| Aliases                                                                                                                                                                                                                                                                                                                                                     |               |               |                       | HOME PHONE NUMBER                    |                                                          |                                     |                | WORK PHONE NUMBER        |                    |     |  |
| CELL PHONE                                                                                                                                                                                                                                                                                                                                                  |               |               | PAGER                 |                                      | SCHOOL NAME                                              |                                     |                | SCHOOL CITY              |                    |     |  |
| SEX                                                                                                                                                                                                                                                                                                                                                         | RACE          | HAIR COLOR    | EYE COLOR             | HEIGHT                               | WEIGHT                                                   | DATE OF BIRTH                       | PLACE OF BIRTH |                          |                    |     |  |
| REGISTRATION ADDRESS                                                                                                                                                                                                                                                                                                                                        |               | STREET NUMBER |                       | STREET NAME                          |                                                          |                                     |                | APARTMENT OR UNIT NUMBER |                    |     |  |
| CITY                                                                                                                                                                                                                                                                                                                                                        |               |               |                       | COUNTY                               |                                                          |                                     | STATE          |                          | ZIP                |     |  |
| OCCUPATION                                                                                                                                                                                                                                                                                                                                                  |               |               |                       | EMPLOYER'S NAME                      |                                                          |                                     | STREET NUMBER  |                          | STREET NAME        |     |  |
| CITY                                                                                                                                                                                                                                                                                                                                                        |               |               |                       | COUNTY                               |                                                          |                                     | STATE          |                          | ZIP                |     |  |
| GANG NAME                                                                                                                                                                                                                                                                                                                                                   |               |               |                       |                                      |                                                          |                                     |                | CLIQUE NAME              |                    |     |  |
| MONIKERS / NICKNAMES                                                                                                                                                                                                                                                                                                                                        |               |               |                       |                                      |                                                          |                                     |                |                          |                    |     |  |
| SCARS, MARKS, TATTOOS, AND OTHER CHARACTERISTICS                                                                                                                                                                                                                                                                                                            |               |               |                       |                                      |                                                          | LOCATION                            |                |                          | DESCRIPTIONS       |     |  |
| SCARS, MARKS, TATTOOS, AND OTHER CHARACTERISTICS                                                                                                                                                                                                                                                                                                            |               |               |                       |                                      |                                                          | LOCATIONS                           |                |                          | DESCRIPTIONS       |     |  |
| CII NUMBER                                                                                                                                                                                                                                                                                                                                                  |               | FBI NUMBER    |                       | CDC NUMBER                           |                                                          |                                     | CYA NUMBER     |                          | XREF NUMBER        |     |  |
| SOCIAL SECURITY NUMBER                                                                                                                                                                                                                                                                                                                                      |               | COURT NUMBER  |                       |                                      | DRIVER'S LICENSE NUMBER                                  |                                     | STATE          |                          | YEAR OF EXPIRATION |     |  |
| VEHICLE #1                                                                                                                                                                                                                                                                                                                                                  | LICENSE/STATE |               | YEAR                  | MAKE                                 | MODEL                                                    | STYLE                               | COLOR(S)       |                          |                    |     |  |
| GUARDIAN / RELATIONSHIP                                                                                                                                                                                                                                                                                                                                     |               |               | GUARDIAN PHONE NUMBER |                                      |                                                          |                                     |                |                          |                    |     |  |
| GUARDIAN ADDRESS                                                                                                                                                                                                                                                                                                                                            |               |               |                       |                                      |                                                          | CITY                                |                | STATE                    |                    | ZIP |  |
| STREET NUMBER                                                                                                                                                                                                                                                                                                                                               |               |               |                       |                                      |                                                          |                                     |                |                          |                    |     |  |
| UNIT NUMBER                                                                                                                                                                                                                                                                                                                                                 |               |               |                       |                                      |                                                          |                                     |                |                          |                    |     |  |
| REGISTRATABLE CONVICTION                                                                                                                                                                                                                                                                                                                                    |               |               |                       |                                      | ARRESTING AGENCY                                         |                                     |                | DATE OF ARREST           |                    |     |  |
| PROBATION / PAROLE OFFICER                                                                                                                                                                                                                                                                                                                                  |               |               |                       | PROBATION / PATROLE LOCATION         |                                                          |                                     |                | PHONE NUMBER             |                    |     |  |
| REGISTERING AGENCY (DO NOT ABBREVIATE)                                                                                                                                                                                                                                                                                                                      |               |               |                       | REGISTERING OFFICER'S NAME AND TITLE |                                                          |                                     |                | PHONE NUMBER             |                    |     |  |
| <p>I have been notified of my duty to register as a convicted Street Gang Offender, pursuant to section 186.30 of the California penal Code. I have read, understood, and initialed each registration requirement as specified on the reverse side of this form.</p> <p>Under penalty of perjury, I certify the above information is true and accurate.</p> |               |               |                       |                                      |                                                          |                                     |                |                          |                    |     |  |
| REGISTRANT'S SIGNATURE                                                                                                                                                                                                                                                                                                                                      |               |               |                       |                                      |                                                          | DATE OF NOTIFICATION / REGISTRATION |                |                          |                    |     |  |

- FINGERPRINTS (MAJOR CASE PRINTS)
- 186.22 WARNING ISSUED
- CALGANG ENTRY
- PROOF OF RESIDENCE
- PHOTOGRAPH(S) (INCLUDING TATTOOS)

ROLLED RIGHT THUMBPRINT



**REGISTRATION NOTIFICATION STATEMENT**  
Read and Initial Each Statement

I have been notified of my duty to register as a convicted Street Gang Offender, pursuant to section 186.30 of the California Penal Code. I understand that:

\_\_\_\_\_ I must register with the Chief of Police or the Sheriff of the county in whose jurisdiction I reside within 10 days of release from custody or imposition of sentencing if no custody time is served.

\_\_\_\_\_ I understand that my responsibility to register as a gang offender lasts for 5 years from my last imposition of registration requirement pursuant to Penal Code section 186.30.

\_\_\_\_\_ I understand that within 10 days of changing my residence address I must inform, in writing, the registering agency with whom I last registered, of my new address.

\_\_\_\_\_ I understand that when changing my residence within the State of California I must register with the new local law enforcement agency having jurisdiction over my residence within 10 days of my relocation.

\_\_\_\_\_ I understand that it is my duty to know the legal requirements of Penal Code section 186.30, including changes to the law, which may be made in the future.

\_\_\_\_\_ I understand that the registration requires that the registering agency take my photograph and fingerprints.

\_\_\_\_\_ I understand that if I knowingly violate any provisions of Section 186.30 I am guilty of a misdemeanor.

\_\_\_\_\_ I understand that if I knowingly fail to register pursuant to Section 186.30 and am subsequently convicted of any of the offenses specified in Section 186.30, or, if I am a juvenile, that if a petition is subsequently sustained for a violation of any of the offenses specified in Section 186.30, I shall be punished by an additional term of imprisonment in the state prison for 16 months, or 2, or 3 years.

**CALIFORNIA STREET TERRORISM ENFORCEMENT AND PREVENTION (STEP) ACT NOTIFICATION**  
**Pursuant to PC 186.32(a)**  
**IF APPLICABLE**

|                                        |      |       |        |                     |
|----------------------------------------|------|-------|--------|---------------------|
| FULL NAME OF REGISTRANT                | LAST | FIRST | MIDDLE | DOB                 |
| JUVENILES ONLY NAME OF PARENT/GUARDIAN | LAST | FIRST | MIDDLE | RELATIONSHIP<br>DOB |

**STEP ACT NOTIFICATION**

\_\_\_\_\_ . I HAVE BEEN NOTIFIED that it has been determined I belong to a criminal street gang whose members engage in or have engaged in a pattern of criminal gang activity as described in subdivision (e) of Section 186.22 of the California Penal Code. Additionally, a Judge of the Superior Court has determined that I have been convicted in a criminal court or have had a petition sustained in a juvenile court for a gang related crime, Superior Court Case Number.

\_\_\_\_\_ I HAVE BEEN FURTHER NOTIFIED THAT CRIMINAL BEHAVIOR COMMITTED WHILE ACTIVELY PARTICIPATING IN A CRIMINAL STREET GANG CARRIES THE POTENTIAL FOR ADDITIONAL CRIMINAL AND CIVIL PENALTIES. THIS INCLUDES THE PUNISHMENT OF LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE OR EVEN THE DEATH PENTALY. I HAVE BEEN DIRECTED TO THE STREET TERRORISM ENFORCEMENT AND PREVENTION ACT AS CODIFIED IN PENAL CODE SECTION 186.22 et. seq. AND CIVIL CODE SECTION 3479 et. seq.

I have read, understood and initialed the above Registration Notification Statement and STEP Act Notification.

|                                           |                                      |                                     |  |
|-------------------------------------------|--------------------------------------|-------------------------------------|--|
| SIGNATURE OF PERSON NOTIFIED              |                                      | DATE OF NOTIFICATION / REGISTRATION |  |
| SIGNATURE OF PARENT / GAURDIAN (JUVENILE) |                                      | DATE NOTIFICATION / REGISTRATION    |  |
| REGISTERING AGENCY (DO NOT ABBREVIATE)    | REGISTERING OFFICER'S NAME AND TITLE | PHONE NUMBER                        |  |

I certify that I notified the individual described above of his duty to register under the provisions of the applicable statute.

\_\_\_\_\_ SIGNATURE OF NOTIFYING OFFICER \_\_\_\_\_ DATE OF NOTIFICATION \_\_\_\_\_

**GANG REGISTRATION PROGRAM INTERVIEW**

1. How long have you claimed? What gang set?
2. How were you initiated into the gang? When?
3. Who do you associate with?
4. Are you an active member? If not, when did you stop claiming?
5. Who do you live with? What is their relationship to you?
6. Who is your girlfriend/significant other? Where does she/he live? Phone number?
7. Do you have children? Names and ages?
8. Do you have any other vehicles that you own or drive? Vehicle information?
9. How many gang members do you estimate are in your gang? How many are female?
10. What type of weapon do you prefer? What type of weapons does your gang prefer? (make, model, caliber, etc.)
11. Do members in your gang deal narcotics? What is the primary drug sold?
12. Does your gang prefer a certain type of vehicle? (make, model, etc.)
13. What are the hangouts and boundaries of your gang?
14. Does your gang have a particular color, dress, or symbol? Describe.
15. What gangs does your gang have a rival/conflict with? Why?
16. Does your gang attend car shows? Which shows?

