

# CalGang Criteria Proposal

(a) A suspected gang member or suspected gang associate may be initially entered into the CalGang database and designated as a gang member or a gang associate if one of the criterion patterns below is found to exist through investigation, based on the law enforcement officer's reasonable suspicion and training, provided that the gang's existence is documented in the database. The existence of all criteria shall be supported by source documents.

(1) **Singular Criterion.** A person may be initially entered into the CalGang database as a suspected gang member or gang associate if the person admits to being a gang member or gang associate. The law enforcement officer shall document what was said.

(2) **Primary Criteria.** A person may be initially entered into the CalGang database as a suspected gang member or associate if two of the following criteria are found:

(A) The person has been arrested for an offense consistent with gang activity.

(B) The person has been identified as a gang member or a gang associate by a reliable source.

(C) The person is identified as a gang member or a gang associate by physical evidence, or authored communications taking credit for an offense consistent with gang activity.

(D) The person was initiated into a criminal street gang or has initiated another person into a criminal street gang.

(F) The person directs another person who is already in the CalGang database to commit a criminal act that furthers the interest of the criminal street gang.

(3) **Secondary Criteria.** A person may be initially entered into the CalGang database as a suspected gang member or associate if three of the following criteria are found:

(A) The person has been seen associating with persons meeting the criteria for entry into the CalGang database.

(B) The person has been seen displaying symbols and/or hand signs tied to a specific criminal street gang. The law enforcement officer shall document the specific symbols and/or hand signs that are tied to the criminal street gang.

(C) The person has been seen at one or more gang locations. The law enforcement officer shall document the specific location or locations and how they are tied to the specific criminal street gang.

(D) The person has been seen wearing a style of dress or accessories that are tied to a specific criminal street gang. The law enforcement officer shall document the specific items and how they are tied to the specific criminal street gang.

(E) The person has tattoos, marks, scars, or branding indicating criminal street gang membership. The law enforcement officer shall document a description of the tattoos, scars, or branding and the location on the person's body.

(4) A person may be initially entered into the CalGang database as a suspected gang member if the person meets one primary criterion and one secondary criterion.

(b) A suspected gang associate shall only be entered into the CalGang database if that person is tied to a person who either has been classified as a suspected gang member in the CalGang database or meets the requirement for entry into the CalGang database as a suspected gang member.

(c) For each contact, a law enforcement officer's source documents shall capture all applicable criteria that a person has met irrespective of the criterion pattern(s). All applicable criteria shall also be entered into the CalGang database.