



State of California
Office of the Attorney General

XAVIER BECERRA
ATTORNEY GENERAL

February 10, 2020

Michel R. Moore
Chief of Police
Los Angeles Police Department
100 West 1st Street
Los Angeles, CA 90012

Dear Chief Moore:

I write concerning recent reports that officers at the Los Angeles Police Department (LAPD) engaged in misconduct by improperly classifying individuals as gang members within the database of the CalGang system. The law enforcement community considers the CalGang database an important tool for sharing law enforcement intelligence regarding criminal street gangs and helping law enforcement agencies investigate crimes. The CalGang database offers the most value to anti-crime efforts when the officers who utilize it receive high-quality information from it. False and improper entries in the system undermine law enforcement efforts, calling into question the validity of the information being utilized.

As part of our and our teams' on-going communication on this subject, I want to identify the work I understand you are undertaking to respond to the allegations of officer misconduct and the actions that the California Department of Justice (DOJ) has initiated to perform its new oversight responsibility related to the CalGang system. You have informed my office that the LAPD is actively investigating the allegations of misconduct involving employees who inappropriately entered individuals into the CalGang database. We understand that, although your investigation is ongoing and new facts may come to light, LAPD will undertake the following actions at this time:

- Conduct detailed inspections of LAPD CalGang records;
- Develop new oversight procedures for CalGang entries, including multiple levels of scrutiny and supervisory review, as well as review of available body-worn camera footage and any other recordings;
- Re-train LAPD personnel on the criteria that must be satisfied before an officer may enter an individual's name into the CalGang database; and
- Require an additional level of review by a staff officer, the rank of Commander or higher, for any denial of a request by an individual seeking removal from the CalGang database.

Your agency has already agreed to provide DOJ access to observe the re-training of LAPD officers on the use of the CalGang system. We have underscored the importance of training that ensures that officers understand, among other things, the standards that must be met to enter a subject into the CalGang system and the legal and social consequences of such data collection and inclusion for individuals in our community whose names are entered into the database.

Under Assembly Bill 90, passed in 2017 (Penal Code § 186.36), the Legislature authorized DOJ to reform and oversee the CalGang system and to impose disciplinary measures for abuse of the system. Pursuant to this oversight authority, DOJ will be taking these additional steps at a minimum to address the reports of misuse of CalGang by LAPD personnel:

- Conduct an independent audit and validation of CalGang entries by LAPD, not limited to the Metro division, which would include review of available body-worn camera footage and any other recordings; and
- Review LAPD's internal controls and policies to improve accountability for officers who use the CalGang system.

These oversight activities will be memorialized in a formal agreement between the Department of Justice and the LAPD to ensure that the LAPD is held accountable to the highest standards with respect to its use of the CalGang system.

We are committed to working with you and the men and women of the LAPD to implement the above measures and to hold all who use the CalGang system accountable for their actions. As we have mentioned, the California Department of Justice continues to evaluate its options for oversight and enforcement pursuant to AB 90. As circumstances unfold as a result of your investigation, our oversight efforts, or other developments, DOJ may take further steps authorized under AB 90, including suspension or revocation of LAPD's access to the database, or issuance of a letter of censure.

Thank you for your collaboration to date. Our work on behalf of the people of Los Angeles and California continues.

Sincerely,



XAVIER BECERRA
Attorney General