

**ATTORNEY GENERAL'S
ANNUAL REPORT ON**

CALGANG[®]

FOR 2023



CALIFORNIA DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

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EXECUTIVE SUMMARY

CalGang is a statewide database used by law enforcement agencies to share gang-related intelligence for criminal investigations. The confidential database is designed to enhance officer safety and improve the efficiency of criminal investigations.

The California Department of Justice (DOJ) oversees and audits CalGang pursuant to Assembly Bill (AB) 90 (Chapter 695, Statutes of 2017), the Fair and Accurate Gang Database Act of 2017. AB 90 (codified at Penal Code Sections 186.34, 186.35 & 186.36) requires DOJ to improve the quality of the database by drafting and implementing regulations, and managing the CalGang database, as of January 1, 2018. On October 22, 2020, DOJ adopted California Code of Regulations Title 11, Chapter 7.5, Department of Justice Regulations for the Fair and Accurate Governance of the CalGang Database (CalGang Regulations). These regulations govern the operation, oversight and use of the CalGang database, including, among other things, establishing the requirements for entering and reviewing gang designations, the retention period for listed gangs, and the criteria for identifying gang members.

The CalGang Regulations prioritize accountability, data protection, and individual rights. Per the regulations, records in CalGang are confidential and are only for the use of law enforcement agencies for criminal investigations. Information and records in CalGang cannot be disclosed to evaluate an individual's eligibility for education, employment, housing, enforcing federal immigration law, or for military screening purposes unless required by state or federal statute or regulation. Currently, CalGang data is not included as a database accessed through the California Law Enforcement Telecommunications System (CLETS), which is routinely checked when law enforcement has an encounter with an individual. A person may be entered into CalGang when they meet all of the requirements set forth in Article 5 of CalGang Regulations. Gang intelligence in CalGang comes from source documents completed by agencies that use the database. These source documents include, but are not limited to, Field Interview Cards, Arrest Reports, Crime Reports, Jail Classification Reports, and Gang Registrations. Adults are removed ("auto-purged") from the database after five years, and minors are removed after three years, unless they continue to meet the criteria for being an active gang member based on additional contact with law enforcement.

This report marks the seventh annual report for CalGang, and is based on the 19,146 records that existed in the CalGang database as of September 30, 2023.

The tables and charts provided in this report summarize data captured during the immediately preceding 12 months; October 1, 2022 – September 30, 2023. This includes data that was entered into CalGang by local agencies prior to AB 90 and prior to the regulations issued by DOJ.

The full dataset can be found on the Attorney General's website at:
www.oag.ca.gov/calgang

For 30 days following the release of this data, the public is invited to submit comments to DOJ for consideration in the development of future reports. Subsequent reports will summarize public comments received and any actions taken in response to those comments. Because DOJ did not receive any public comments regarding last year's published report, there are no summarized comments in this report.

Comments may be submitted by e-mail to
CalGangReports@doj.ca.gov
or by mail to:

Department of Justice
Justice Data and Investigative Services Bureau
P.O. Box 160968
Sacramento, CA 95816-0968

AT-A-GLANCE

Penal Code section 186.36 subdivision (p) requires DOJ to publish an annual report regarding the CalGang database that contains, by ZIP code, the referring agency, race, gender, age, and the following information for each user agency:

- The number of records included in the CalGang database on the day of reporting.
- The number of persons added to the CalGang database during the immediately preceding 12 months.
- The number of requests for removal of information from the CalGang database received during the immediately preceding 12 months.
- The number of requests for removal of information that were granted during the immediately preceding 12 months.
- The number of requests for removal of information that were adjudicated, including dispositions, during the immediately preceding 12 months.
- The number of persons whose information was removed from the CalGang database due to the expiration of a retention period during the immediately preceding 12 months.
- The number of times an agency did not provide notice or documentation because doing so would compromise an active criminal investigation, in the immediately preceding 12 months.
- The number of times an agency did not provide notice or documentation because doing so would compromise the health or safety of the designated minor, in the immediately preceding 12 months.
- The results from each user agency's annual audits.
 - Records that fail (they do not meet minimum requirements set forth in Article 5 of the CalGang Regulations) during auditing are manually removed from the system and removal is verified by DOJ.
 - Data from an agency that no longer participates in using the database are removed.

CalGang Regulations, Title 11, Chapter 7.5, sections 753.6 and 755.8 subdivision (g) require the reporting of the following additional information:

- The number of times an agency received an information request pursuant to subdivision (d)(1) of Penal Code section 186.34.
 - Please see Column P on the “FULL” tab.
- The number of proxy queries conducted by a participating accessing agency, and the name of each non-participating agency requesting the proxy query.
 - Please see the tab titled “Proxies.”
- CalGang Misuse Reporting.
 - Agencies that failed to submit the Misuse form are listed on the tab titled “Misuse.”
- The results from each agency's annual gang records audits.
 - Please see the tab titled “Gang Audits.”

Table 1 below provides summary data. To view the full data set that includes zip codes and demographic information please see the Excel data extract here: www.oag.ca.gov/calgang

Between October 1, 2022 - September 30, 2023, number of:	Count
Total records in CalGang	19,146
Records added to CalGang	1,956
Total requests for removal made to law enforcement agencies	15
Granted requests for removal made to law enforcement agencies	4
Petitions for removal adjudicated, including their dispositions	0
Records purged due to the expiration of the retention period	6,743
Times an agency did not provide notice or documentation because providing that notice would compromise an active criminal investigation	3
Times an agency did not provide notice or documentation because providing that notice would compromise the health or safety of the designated minor	0
Total records audited by the DOJ	670
- Total records passed in DOJ	653
- Total records failed in DOJ	15
- Total records purged before completion of audits	2
Total Gangs audited by DOJ	1,048
- Total gang audits passed	739
- Total gang audits failed	211
- Total gang audits pending	98
- Total gang audits not completed due to an Agency no longer using CalGang	0
Total Information Requests received	20
Total number of Agencies that reported no misuse	107
Total number of Agencies that did not report misuse to DOJ	0
Total number of Agencies that reported misuse	0
Total number of Proxy Queries conducted	223

Chart 1: Number of individuals* in CalGang by gender:

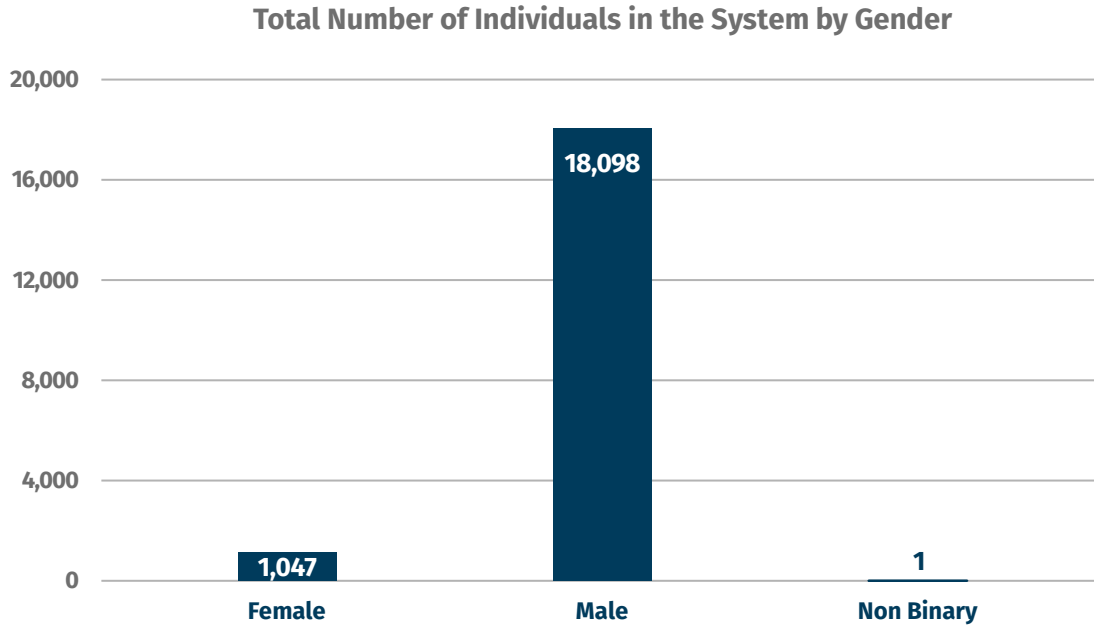
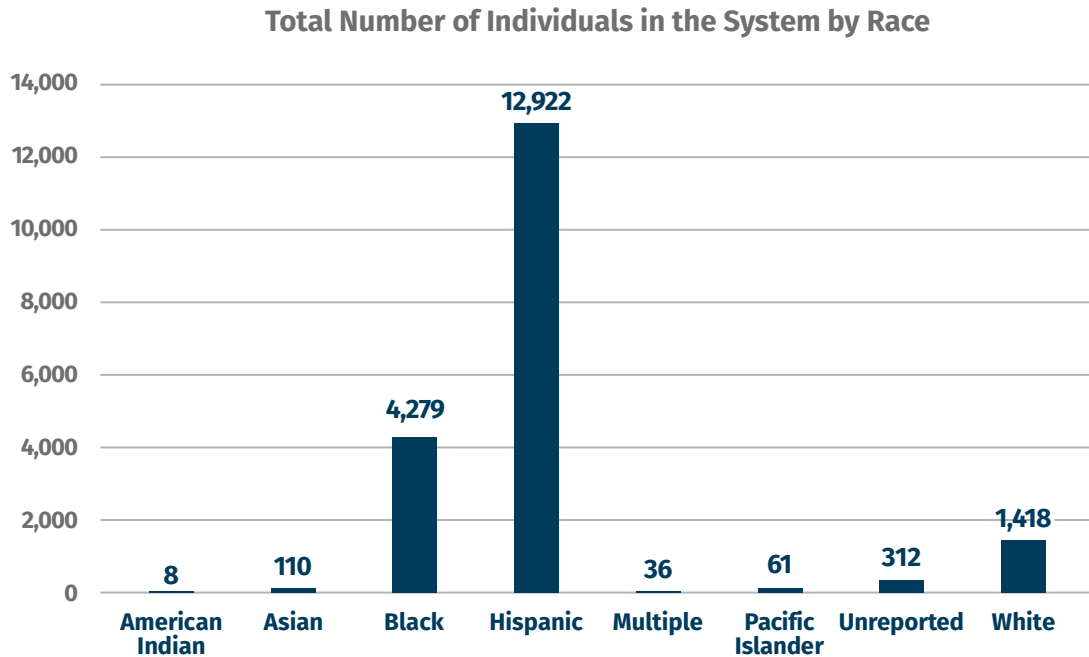
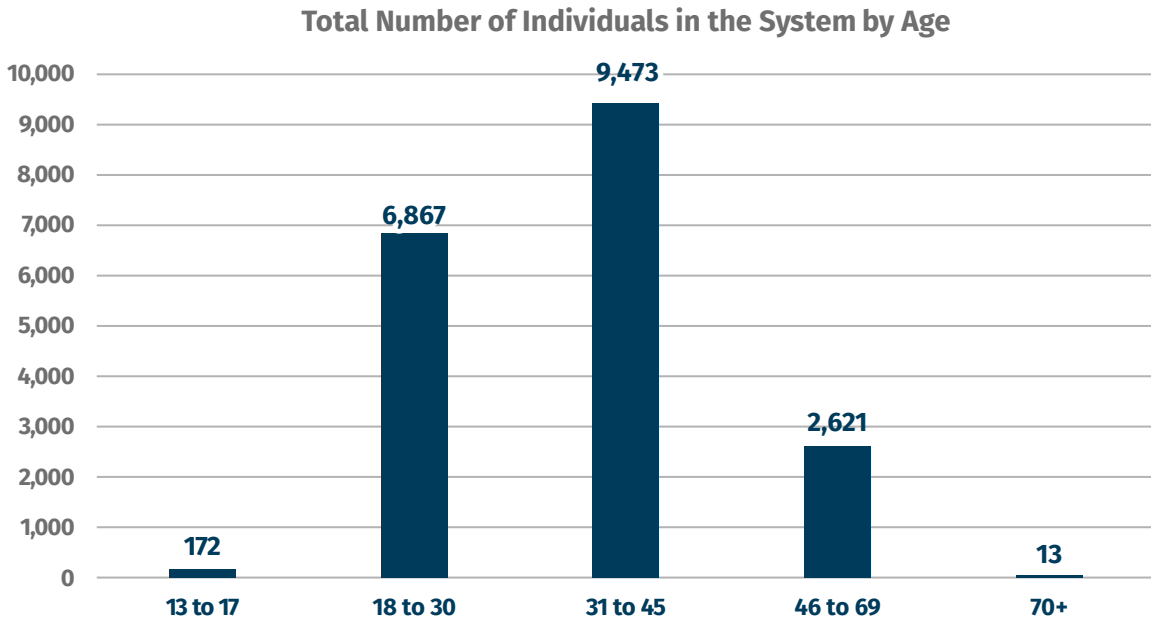


Chart 2: Number of individuals* in CalGang by race:



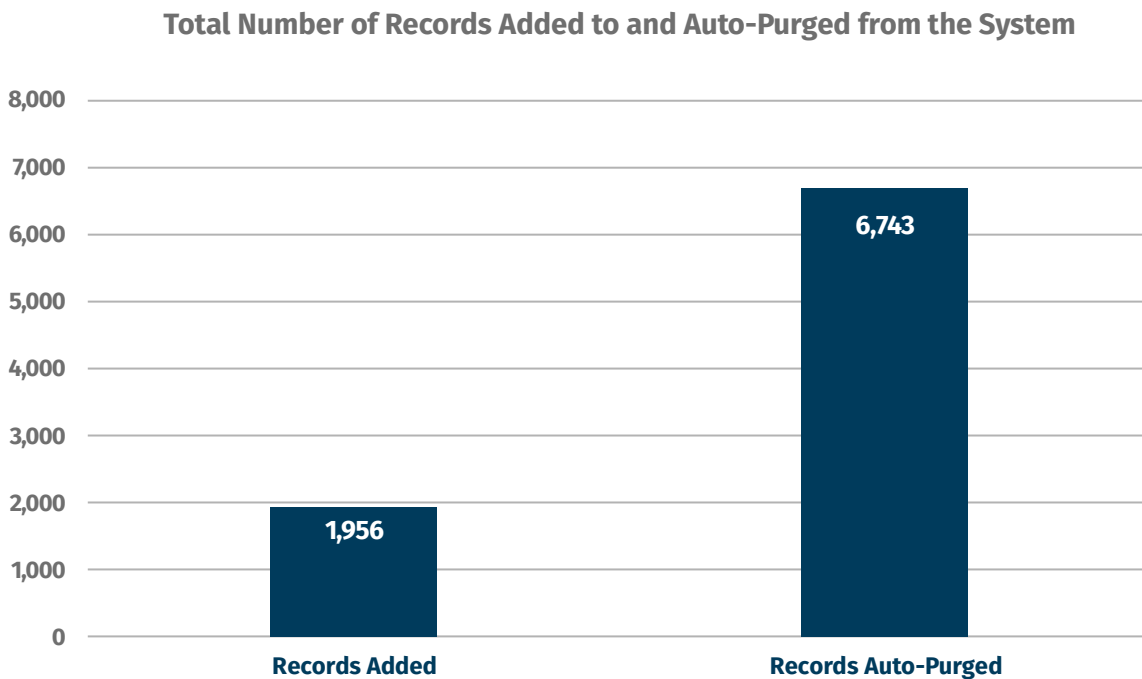
*As explained in Item #7 of the CalGang Context Document appended hereto, a single individual may be entered more than once in the database by separate law enforcement agencies. Each such entry is counted as an "individual," even though it is the same person. As a result, the number of "individuals" listed in Charts 1, 2, and 3 may be higher than the actual number of distinct individuals in the system.

Chart 3: Number of individuals* in CalGang by age:



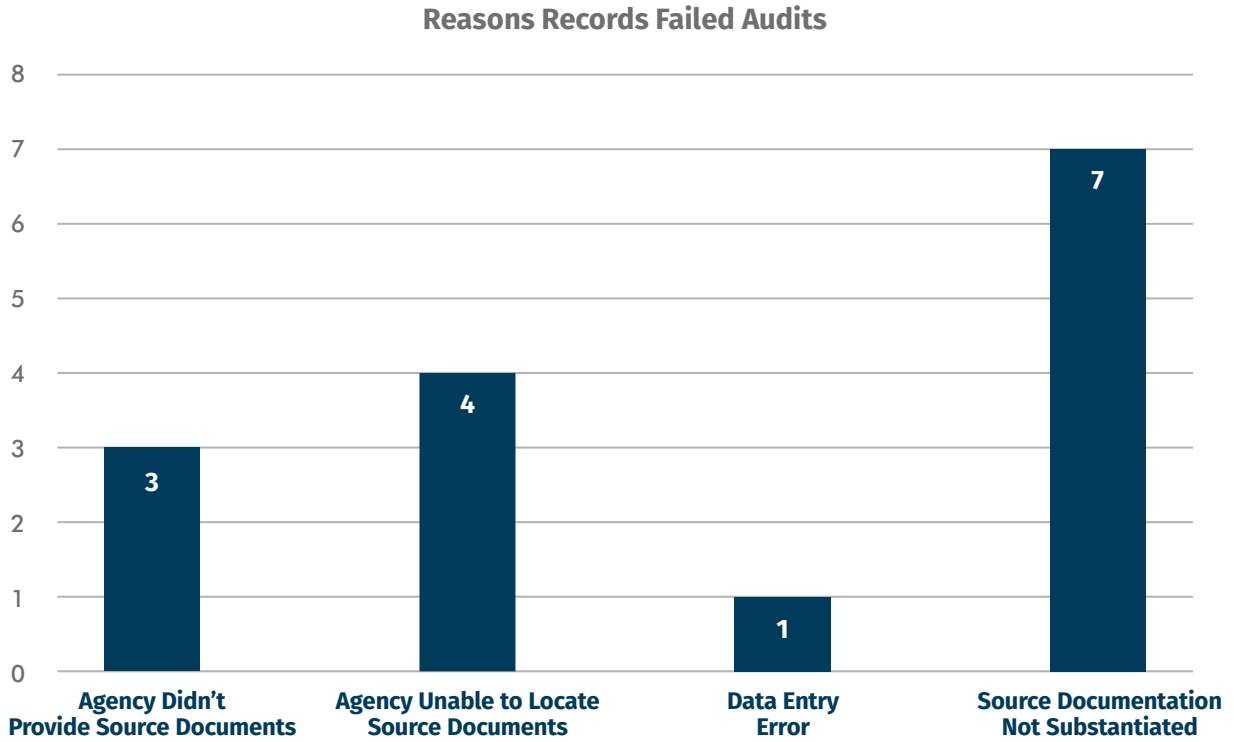
*Please see the CalGang Context Section, Item #7 for further clarification on “individuals.”

Chart 4: Number of records added to CalGang and the number of records auto-purged** from CalGang:



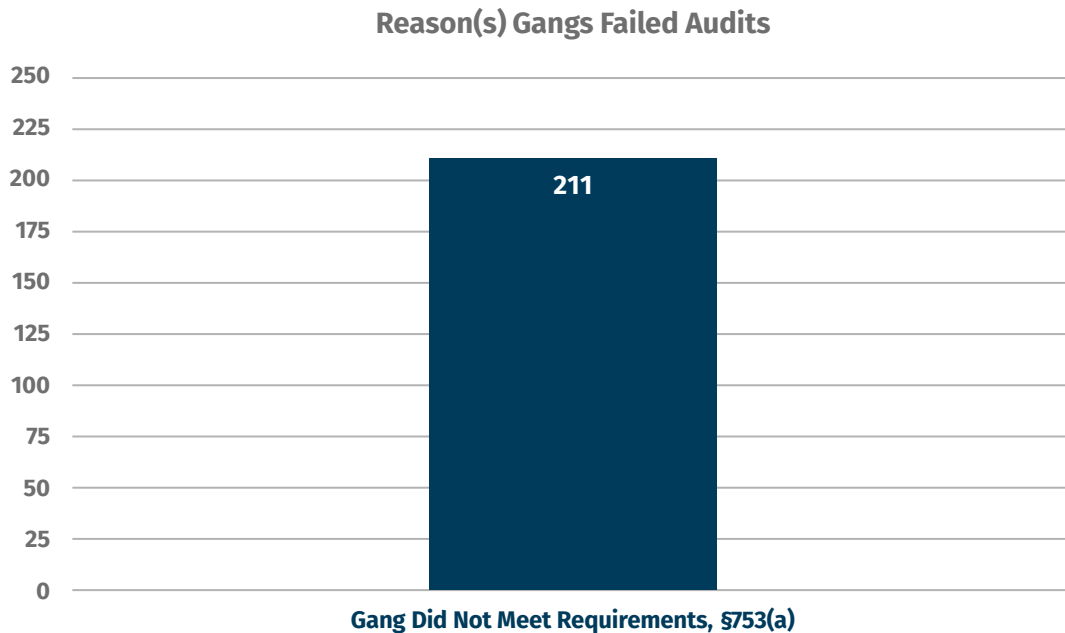
**Adults are removed (“auto-purged”) from the database after five years, and minors are auto-purged after three years, unless they continue to meet the criteria for being an active gang member based on additional contact with law enforcement.

Chart 5: Reasons records failed*** during auditing:



*** Records fail when they do not meet minimum requirements set forth in Article 5 of the CalGang Regulations

Chart 6: Reason(s) **** gangs failed during auditing:



**** "Gang Did Not Meet Requirements, §753. (a)" is the only reason gangs failed an audit during the 2023 reporting year. Please see Item #9(d) in the "CalGang Context Document" below for further explanation.

CALGANG CONTEXT DOCUMENT

Dataset Overview and History

DOJ is responsible for the oversight of CalGang, the database of statewide gang-related intelligence information. Data is entered directly into CalGang by law enforcement officers. The data reported in DOJ's annual report is an aggregation of individual-level information to provide a summary of data as mandated by AB 90.

Statutory Authority

Penal Code section 186.36, and the CalGang Regulations, mandate that DOJ collect CalGang data and report annually on the information included in this dataset.

Data Characteristics and Known Limitations

1. Some of the data released by DOJ was entered into CalGang prior to DOJ assuming its oversight responsibilities on January 1, 2018.
2. The terms column(s), tab(s), row(s) and field(s) in the numbered items below, are referring to the Excel dataset, which accompanies the Executive Summary.
3. All values in the "Reporting Year" column summarize data from October 1, 2022 through September 30, 2023.
4. The value "Unreported" indicates the field was left blank by user agencies.
5. In the 2020 report and subsequent reports available on the CalGang website, the age category level "10 to 17" on the "FULL" tab, was changed to "13 to 17" as there are no longer any persons under the age of 13 in the system and the new regulations now prohibit anyone under the age of 13 from being included.
6. Approval or denial of court petitions may be reflected in the current year or in a subsequent year's report depending on the timing of the adjudication process.
7. On the "FULL" tab within the excel file available on the CalGang website, the category "All" is not a sum of the agency's rows. The sum of each category for a selected agency will equal the total listed for that agency. For example, when filtered by the category "All", the total number of individuals entered by Alhambra Police Department is 3; thus, the total for each individual category (Age, Gender, Race) within Alhambra Police Department will equal 3
8. Due to the method of entry into CalGang, it is possible for an individual to have multiple entries within the database. For example, a verified entry into the database is entered into a node (or region) by law enforcement agency A and another distinct verified entry is entered into a different node by law enforcement agency B. Both entries are valid and counted as separate individuals; however, they correspond to one person. A verified entry means that there are two distinct criteria substantiating that entry.

9. On the "FULL" tab, there may be rows where the ZIP code indicates a value of "0" for records added but there are values indicated for requests for removal and petitions. This is because the ZIP codes that are associated with records and the ZIP codes that are provided to law enforcement agencies from requests/petitions may not be the same. For example, a contact may be made that results in a designation in a ZIP code that is not where the person resides; a person may move after a designation and subsequently submit a request for removal, attorneys can request information on a client's behalf, et cetera.
10. To elaborate on the Charts 5 & 6 above, record and gang audits failed for the following reasons:
 - a. "Agency Didn't Provide Source Documents" refers to instances where an agency provided no response or source documents when audit documents were requested.
 - b. "Agency Unable to Locate Source Documents" refers to records where an agency reported to DOJ that they could not locate the source documents and removed the record from the system.
 - c. "Data Entry Error" refers to instances where an error was made during the data entry process that resulted in the record failing the audit.
 - d. "Gang Did Not Meet Requirements, §753(a)" refers to section 753 of the CalGang Regulations, which outlines the requirements for an organization to be designated as a criminal street gang in CalGang. If a gang fails to meet those requirements during an audit, the gang and its members in the system must be purged.
 - e. "Source Documentation Not Substantiated" refers to instances where a record's inclusion in the database was not substantiated by the source document.
11. The audit tab now includes a column for "Total Records Auto-Purged." This captures records that were selected to be audited but reached their automatic purge date prior to completion of the audit.
12. There is a large difference in the number of "Total Records Audited by DOJ" between the 2022 (349) and 2023 (670) reporting years. This is a result of DOJ's transition to auditing criteria entered after the effective date of the regulations prior to the 2022 reporting year, and the quantity of these records in the database growing from one year to the next. This resulted in a larger sample size of records being audited.

Agencies have audited all their records entered prior to the effective date of the regulations and submitted attestations for these audits to DOJ.

13. While DOJ no longer has law enforcement users who designate people in CalGang, it does act as a law enforcement agency, and as such, has responded to information requests in compliance with Penal Code section 186.34 subdivision (d).
14. On the "FULL" and "Agency Totals" tabs, when a person submits a request to know if they are in the system (also known as an information request), they may not disclose their age, sex, or gender. This results in "Unreported" category levels in the "Information Requests" column.

15. Proxy requests can be made by non-users from within a user agency and from outside agencies with a need to know and a right to know. For example, a detective at the Los Angeles County Sheriff's Department, a current user agency, may not have a caseload that warrants permanent access to CalGang. However, they may have a case that involves a suspected gang member. They can request a proxy search be done by one of their agency's users.
16. There are user agencies that do not enter data and therefore are not listed on the "FULL" tab. Agencies that are "View Only" are still required to report misuse to DOJ and any that fail to do so are listed on the "Misuse" tab.
17. DOJ granted extensions to agencies that requested additional time to complete their annual gang audits. Those 98 pending audits are reflected in Table 1 of this Report. The results of these of pending audits will be provided in next year's report.

Data Elements and Values Defined

The following is provided as a tool to explain the data provided in the Excel dataset available at
www.oag.ca.gov/calgang

Cell Location	Data Element	Description/Definition	Value
FULL TAB			
A	Agency	Agency name	Alpha; California agency names
B	Reporting Year	Year data was reported	YYYY
C	Category	Reporting categories	All Age Gender Race ZIP Code
D	Category Level	Category Levels	ALL Totals AGE 13-17 18-30 31-45 46-69 70+ Unreported GENDER Female Male Unreported RACE American Indian Asian Black Hispanic Multiple Pacific Islander White Unreported ZIP CODE
E	Total Records	Number of records entered by agency	Numeral count
F	Records Added	Number of records added during the 2023 reporting period	Numeral count
G	Requested Removal	Number of requests for removal received by law enforcement agency/Department during the 2023 reporting period	Numeral count

Data Elements and Values Defined

The following is provided as a tool to explain the data provided in the Excel dataset available at www.oag.ca.gov/calgang

H	Removal Granted	Number of requests for removal granted by law enforcement agency/Department during the 2023 reporting period	Numeral count
I	Court Petitions	Number of petitions to the court for removal adjudicated during the 2023 reporting period	Numeral count
J	Petitions Approved	Number of petitions to the court for removal approved during the 2023 reporting period	Numeral count
K	Petitions Denied	Number of petitions to the court for removal denied during the 2023 reporting period	Numeral count
L	Records Auto-Purged	Number of records removed by automatic purging due to expiration of the retention period during the 2023 reporting period	Numeral count
M	Records Manually Removed	Number of records manually deleted pursuant to review during the 2023 reporting period	Numeral count
N	Active Investigation	Number of times an agency did not provide notice or documentation due to an active investigation during the 2023 reporting period	Numeral count
O	Minor Safety	Number of times an agency did not provide notice or documentation due to minor's health and safety concerns during the 2023 reporting period	Numeral count
P	Information Requests	Number of times an agency received an inquiry from a person, or their attorney, on whether they were in the system	Numeral count
Proxies Tab			
A	Agency	Agency name	Alpha; Agency names
B	Reporting Year	Year data was reported	YYYY
C	Total Number of Proxies Conducted	Number of times a User from a User Agency conducted a proxy query	Numerical count
D	Total Number of Proxies Requested	Number of times a Non-User requested a proxy query;	Numerical count