Operations Manual

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STREET GANG UNIT

INVESTIGATIONS

San Diego Police

Department

May 5, 2026

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SECTION I

MISSION STATEMENT:

The Street Gang Unit (SGU) will reduce violent crime committed by gang members; document gang members and when possible prevent gang recruitment.

GOALS:

The Street Gang Unit (SGU) will reduce gang violence by proactive and covert operations, suppression activities and the vigorous prosecution of violent criminals. The SGU will faithfully and justly document persons who meet the criteria for gang membership in an effort to rapidly resolve crime and seek enhanced penalties. Members of the SGU will work with area commands, city departments and community groups to further this mission.

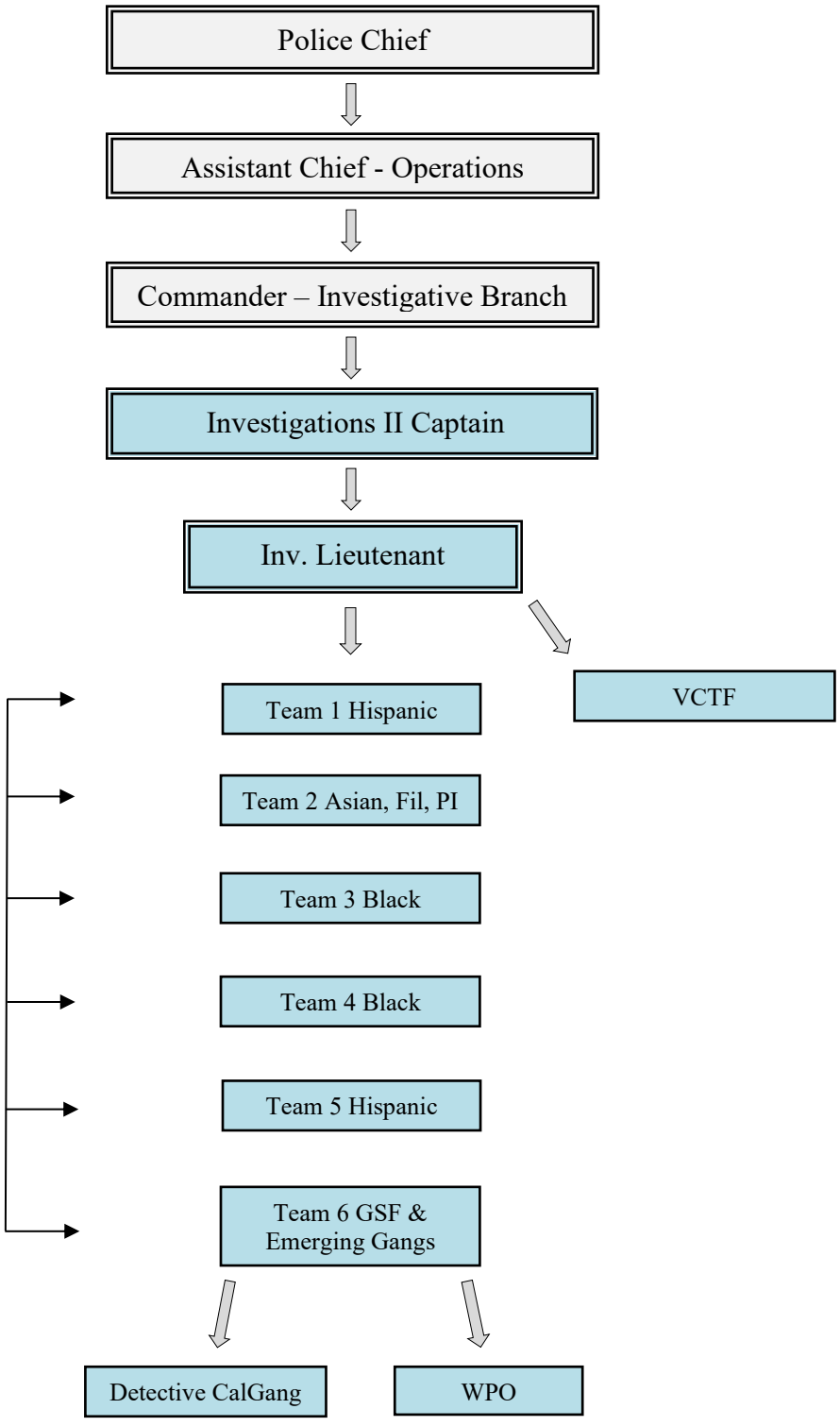
The Graffiti Strike Force will strive to suppress gang violence and tagger activity in communities by providing targeted enforcement. They will work in concert with Gang Unit detectives and the area commands.

The SGU is committed to maintaining an accurate and up to date intelligence database, which serves as a resource to law enforcement personnel who need information and/or training regarding documented gang members and their affiliates.

OBJECTIVES:

The primary objective of the Street Gang Unit is to reduce gang violence; minimize the impact on communities and keep accurate intelligence files of gang members and their activity.

Street Gang Unit Organizational Chart



SECTION III

ROLES AND RESPONSIBILITIES

GANG LIEUTENANT:

The Gang Unit Lieutenant reports to the Captain of Investigations II and is responsible for all phases of the day-to-day operation of the unit. This includes all 5 Investigative Teams, the Graffiti Strike Force, and SDPD personnel attached to the Violent Crimes Task Force (VCTF). The lieutenant will establish operations policies according to the needs of the unit and will be responsible for the following:

- Understand and promote effective crime fighting measures.
- Oversee complex investigations and proactive projects.
- Provide support for administrative staff decisions and actions.
- Assume field command of major gang investigations on a 24-hour basis.
- Provide weekly briefings to the Investigations II Captain and Assistant Chief.
- Ensure gang intelligence is collected properly and disseminated appropriately.
- Develop and maintain relationships with community leaders.
- Enhance employee morale through the provision of training and resources.
- Identify and provide Unit training needs.
- Maintain liaison with area commands and investigative units.
- Select personnel replacements.
- Assign, review and approve administrative and investigative reports regarding personnel and unit operations.
- Maintain statistics and records on enforcement, equipment, discipline, training and overall unit activities.
- Supervise sergeants assigned to the unit.

- Conduct inspections as defined by Department Policy.
- Handle daily morning call for the gang unit when possible.

GANG DETECTIVE SERGEANT:

The sergeant is responsible for all phases of the day-to-day operations in his/her area of responsibility. He/she will report directly to the Gang Lieutenant and will:

- Provide day-to-day direction within assigned teams.
- Supervise all building entries for both covert and dynamic entries.
- Write and submit operational plans in advance of any operation.
- Regularly read and inspect predicate books for gang investigators.
- Staff and schedule personnel to ensure adequate investigative coverage.
- Ensure gang intelligence files are accurate and up to date.
- Evaluate personnel as required.
- Seek proactive projects that can incapacitate active gang sets.
- Ensure detectives have and are appropriately managing informants.
- Conduct personnel and equipment inspections per department policy.
- Supervise the investigation of gang-related cases, including crime scene management.
- Approve reports and maintain the case assignment database daily.
- Write case briefing sheets for all significant violent cases.
- Approve gang documentation information cards prior to being entered in CalGang.
- Conduct case Biopsies on cases handled by detectives.
- Respond to Subpoena Duces Tecum on behalf of your team's gang sets.

Each Detective Sergeant is responsible for additional duties.

One Detective Sergeant will be responsible for acting as the CalGang Manager.

- The CalGang Manager is the voting member for the California Gang Node Advisory Committee (CGNAC). The manager is responsible for attending quarterly meetings, making operational decisions for the functioning of CalGang and maintaining relationships with personnel in similar positions in law enforcement agencies statewide.

- The CalGang Manager directs the efforts of the detective performing the duties of the CalGang Administrator and is the Custodian of Records for unit intelligence files. The manager is responsible for ensuring compliance with the Attorney General guidelines regarding the maintenance and dissemination of gang intelligence files.

One Detective Sergeant functions as the Volunteer Coordinator and is responsible for supervising and coordinating the activities of volunteers working in the Gang Unit. He/she supervises the unpaid Volunteer Administrator who performs administrative and coordination functions within the Gang Unit (DP 1.32 Administration Volunteer Services).

One Detective Sergeant is responsible for being Point of Contact for Gang Unit vehicles and Fleet Maintenance.

One Detective Sergeant is responsible for maintaining and securing Confidential Informant files within the Gang Unit, and for liaison with CIU.

One Detective Sergeant is responsible for scheduling/coordinating new and updated training for SGU/GSF.

One Detective Sergeant is responsible for equipment maintenance, purchase, and assignment.

GANG DETECTIVES:

Detectives are responsible for becoming experts for their assigned gangs. They will:

- Investigate gang related crimes committed by members of their assigned gangs.

- Develop intelligence concerning the activities of individuals within their assigned gangs.

- Recruit, develop and manage informants in each of their gang sets.

- Be aware of gang trends and develop adequate intelligence to document emerging gangs in compliance with Penal Code Section 186.22.

- Develop adequate intelligence to document individuals as being gang members.

- Maintain current CalGang data files on assigned gang sets, members and crime cases.
- Regularly attend line-ups at area stations to exchange information on their assigned gangs and provide gang related training.
- Regularly attend SOU (Special Operations Unit) line-ups. Maintain daily contact with SOU officers to develop strategies for SOU enforcement.
- Employ problem-solving techniques to solve or reduce neighborhood gang problems.
- Maintain an up to date predicate book on assigned gangs.
- Regularly update gang intelligence files with relevant intelligence information.
- Write and submit intelligence reports on all informant payments and contacts.
- Provide gang presentations to community and other groups.
- Upon request, assist other units with gang related felony crimes.
- One detective functions as the CalGang Administrator as described below.

CALGANG NODE ADMINISTRATOR

The primary mission of the CalGang Node Administrator is to compile gang statistics, enhance crime cases, administer CalGang and provide training in CalGang for personnel. The Node Administrator for the CalGang computer system reports directly to the CalGang Manager/Detective Sergeant.

This position is responsible for the following duties:

- Assist Gang detectives with research on persons involved in crime.
- Maintains gang unit database, arrest log.
- Prepares monthly, quarterly and annual statistical reports.
- Conducts audits on gang documentation.
- Maintains gang membership status (active-inactive) and purges gang members from CalGang as directed.
- Makes entries into the Officer Notification System.
- Operates radio communications as needed.
- Fulfills the role of Node Administrator for the CalGang Intelligence System, providing CalGang support for all agencies in San Diego and Imperial Counties.
- Sets up gang registration interviews. Enters gang registration into CalGang and maintains the registration database.

- Coordinates and conducts CalGang training.
- Liaisons with other Node Administrators throughout the State.
- Provides routine hardware and software technical support to end users in the day-to-day operation of CalGang and related computer software.
- Troubleshoots the less complex CalGang hardware and software problems or coordinates problem resolution with Data Systems, SDDPC or private vendors.
- Performs regular CalGang data back up to maintain system integrity.
- Analyst for gang statistics and information.

CLERICAL RESPONSIBILITIES

The clerical employee for the Street Gang Unit (WPO) reports to a Detective Sergeant and is responsible for the following duties:

- Sorts and reviews incoming mail; answers incoming phone calls; routes phone calls to appropriate personnel and fields gang-related questions of a general nature; greets and directs unit visitors.

- Handles unit payroll.

- Maintains inventory of and handles ordering of unit office supplies.

- Utilizes LAN office functions, including software applications such as Microsoft Word, Outlook, 3270, CAD, etc.

- Receives and processes subpoenas.

- Handles other routine office matters as required and directed.

SECTION IV

OPERATIONS PROCEDURES

OPERATIONAL TACTICS – INVESTIGATIONS:

In order to accomplish the unit's objectives, Street Gang Unit investigative personnel utilize two operational tactics:

PROACTIVE OPERATIONS:

Street Gang Unit personnel are expected to proactively monitor their assigned gangs and take appropriate enforcement action where required. Examples of unit proactive operations include:

(Deleted – records of security)

REACTIVE OPERATIONS:

Gang detectives will exhaust all leads in the vigorous prosecution of gang crimes. They will ensure evidence is submitted for analysis, DA packages are completed in a timely manner and witnesses of violent crimes are personally contacted. The unit is responsible for investigating all gang related felony crimes enumerated in 186.22 P.C. Certain proactive operations are predicated upon the reactive investigation of a 186.22 crime. The unit will strive for excellence in the area of reactive investigations. The Street Gang Unit has the authority and resources to pay informants to help solve crimes.

SECTION V

GENERAL RULES AND PROCEDURES

WORK DAYS AND HOURS:

- Detectives assigned to the Gang Unit work in a full-time capacity under Investigations II.

- Work days and days off will be assigned by the Gang Unit lieutenants to ensure coverage is consistent with operational needs.

- Work days and days off are subject to change by the Gang Unit lieutenants to ensure adequate staffing and service coverage throughout the city.

- **(Deleted – records of security)** Each team will manage in-custody arrests on a rotational basis to ensure arrests are processed in a timely manner and within issuing guidelines.

(Deleted – records of security)

- The Graffiti Strike Force Team is composed of 2 detectives and 2 officers, and headed by a detective sergeant. **(Deleted – records of security)** Teams may periodically adjust work hours and days to accommodate work assignments, including surveillance support and search warrant service.

INVESTIGATIVE CALLBACKS:

- All gang detectives and supervisors are subject to callbacks, as determined by the unit's on-call roster. The Street Gang Unit's goal is to be on scene within 60 minutes of notification.

- All on-call Gang Unit personnel will monitor their cell phones while on call.

- All Gang Unit personnel will notify their supervisor, and the on-call detective sergeant, when they are not available for callout (family emergency/function, sick, out of county, etc). It is the responsibility of the on-call detective or detective sergeant to find a replacement if they are unable to be on-call for any period of time. They are responsible for notifying the on-call sergeant (and their own sergeant) with the replacement's name and the specific date and time the switch will take place.

CRITERIA FOR INVESTIGATIVE CONSIDERATION:

The Street Gang Unit (SGU) is responsible for investigating felony gang crimes enumerated in Penal Code Section 186.22. A gang crime normally involves a gang member(s) or associate(s) of a documented street gang who engage in gang motivated crimes and promote, further or assist in criminal conduct. As used in this Operations Manual, and as a guideline for personnel, a gang related crime occurs when the victims or suspects are believed to be documented gang members and they engage in behavior primarily associated with gang membership (e.g. throwing gang signs, yelling gang challenges) and are involved in the felony crimes enumerated in Penal Code Section 186.22.

NOTIFICATION AND CALL-OUT PROCEDURES

(Deleted – records of security)
During regular duty hours, the Watch Commander, Field Lieutenant or Field Sergeant may contact a gang supervisor directly. Any gang-related felony incidents occurring after normal duty hours, the Street Gang Unit is available for callout. The Watch Commander's Office keeps a list of the "Street Gang Unit callout roster" which identifies the on call sergeant. Gang Unit personnel may also respond to potential witnesses, informants, ONS notifications and suspects with guns.

INVESTIGATIONS II COMMAND NOTIFICATION

All gang-related felony crimes or gang incidents of a significant nature, the Watch Commander shall send a text message advisory to the Gang Unit Lieutenant and the Investigations II Captain. This notification is a 7/24 requirement. SGU detective sergeants shall brief the SGU Lieutenant from the scene as soon as reasonably possible, followed up by the electronic dissemination of a Briefing Memo.

CRIME SCENE MANAGEMENT

It is the responsibility of field supervisors to manage crime scenes. When crime scenes are not adequately protected or a briefing sheet is not completed it is the responsibility of the Detective Sergeant to give explicit direction to the field sergeant. Detective Sergeants should carefully evaluate a scene and recommend necessary changes prior to assuming control of the scene. If a problem arises and is not solvable by the sergeants, the lieutenant will be contacted to resolve the problem.

The SGU Lieutenant or his designee will handle all media inquiries and news releases. Sergeants and detectives will clear all media requests prior to giving a statement to any media outlets.

Upon receiving the request for a call-out, the Gang Detective Sergeant will:

- Contact the scene supervisor and determine what investigative resources are needed.
- Determine the need for an investigative response (based on SGU criteria).
- Determine the appropriate investigative response, including giving the set detective the right of first refusal to respond
- Notify the Gang lieutenant of SGU response.
- Contact the on-call Detective(s) and direct their response.
- Notify the Gang Deputy District Attorney if necessary.
- Coordinate with any SOU sergeant on scene regarding scene management, suspect apprehension, and the prevention of retaliatory acts by rival gang sets.

VEHICLE USE

One of the six detective teams will be on-call at all times. Investigators scheduled as "on-call" are authorized to use their assigned department vehicles seven days a week, 24 hours a day within the County of San Diego in accordance with DP 1.16 (Off-Duty Use of Department Take-Home Vehicles).

On-call personnel may:

- Commute between their residence and workplace;
- Conduct legitimate Department-related business that occurs outside normal working hours, including, but not limited to, attendance at special meetings and call-backs to duty; and,
- Conduct personal business while on-call and off duty. However, Department members must be prepared to respond directly to an incident when requested.

On-call detectives shall generally respond to and be on-scene within one hour of receiving a call-back notification.

Detective teams will rotate on-call every two weeks. SGU detectives while not on-call may have their assigned department vehicles for take home purposes as they may be contacted and may respond to gang related incidents involving their assigned gang sets. Detectives not on-call may be voluntarily used as needed to augment response to complex crime scenes and scenes with numerous witnesses/suspects as gang scenes often include. Off-call detectives will not accrue on-call time, nor will they be required to be available. These detectives will be used as additional staffing if they are available. Therefore, the take home vehicles utilized by these detectives may only be used for:

- Commuting between their residence and workplace;
- Conducting legitimate Department-related business that occurs outside normal working hours, including, but not limited to, attendance at court, special meetings and voluntary call-backs to duty.

Department take-home vehicles are to be left at a police facility during vacations or other periods of absence in excess of seven calendar days.

Gang Unit detectives will not be allowed to consume alcohol while driving a city vehicle. Per DP 1.16, department members should refrain from operating a Department vehicle after having consumed alcoholic beverages. Department members are prohibited from driving Department vehicles any time their driving ability has been impaired through the ingestion of prescription or nonprescription drugs or alcoholic beverages.

OVERTIME

Overtime will be authorized in advance and only when considered necessary. A supervisor must approve all extended shift overtime. A detective sergeant will approve all call-outs before detectives are sent. Overtime slips must be approved and signed by a supervisor within two days of the actual overtime worked. Overtime slips will be made out at the time the overtime is worked. DP 1.20 (Overtime Compensation) will be followed.

REQUESTED TIME OFF

- Requests for time off must be approved by the employee's immediate supervisor prior to taking the requested leave.
- Requests for time off will be screened to ensure compliance with established department policies.
- Regularly scheduled annual vacation time shall take precedence over other types of requests.
- All requests for time off will be accompanied by a completed Request for Leave of Absence (CS-14-25).
- All approved leave will be entered into the SGU Electronic Red Book by the approving supervisor.
- Supervisors will not approve leave time that leaves the unit short of adequate staffing.

VACATION POLICY

Annual vacations will be approved on the basis of seniority (in rank), and then time in the unit.

Annual vacations will be entered into the SGU Electronic Red Book.

T.O. POLICY

Employees will be permitted to use compensatory time as desired, except during emergency situations, when the Department may limit T.O. time. The immediate supervisor must approve all T.O. requests. All T.O. request forms must be submitted to the approving supervisor. Partial T.O.'s may be allowed at the discretion of a supervisor. All approved T.O. requests will be entered into the SGU Electronic Red Book.

REPORTING ILLNESS

Department policy requires an employee who is going to be off due to illness or injury, to report the fact to his/her command no later than one hour prior to the start of their shift.
Detectives are expected to call personally and report the anticipated absence to a supervisor. All messages from officers reporting an absence will be recorded on a Sick or Injury Report form (PD237). This form should be forwarded to the officer's supervisor and the sick leave will be entered in the SGU Electronic Red Book.

APPEARANCE

Detectives will wear clothing that is appropriate for their assignment. Attire must be neat, clean and in good repair. Officers will maintain standards in compliance with Department Procedure 5.10.

INSPECTIONS

- Each Gang Unit supervisor will inspect their assigned personnel daily for general grooming and appearance.

- Periodic inspections will be conducted on safety equipment and assigned vehicles.

- Following each formal inspection, unit supervisors will submit a Report of Inspection to the lieutenant via the electronic database.

- All Gang Sergeants shall periodically inspect their personnel's divisional files to ensure each is purged regularly and complies with Departmental Instructions regarding contents.

- The Street Gang Unit Operations Manual will be reviewed annually each July, updated as required and maintained on the department LAN system for access.

VEHICLES

- Gang Detectives are assigned specific vehicles to use as directed by the Chief of Police. All requests for modifications to assigned vehicles must be reviewed and approved by the Gang Unit Commander.

- One Gang Unit On-Call team comprised of Three (3) Sergeants and six (6) detectives are assigned take home vehicles to fulfill their callout responsibilities. This team is authorized to use their assigned department vehicle 24 hours a day, 7 days a week to facilitate their rapid response to gang call outs. Use of these vehicles must comply with Department Procedures 1.12 and 1.16.

- Four (4) additional teams are assigned take home vehicles. These teams will be used as needed to augment our response to complex crime scenes and scenes with numerous witnesses/suspects as gang scenes often include. These teams will not accrue on call time nor will they be required to be available. These detectives will be used as additional staffing if they are available. Therefore, the take home vehicles utilized by these detectives will be used only to drive to and from work.

- The assigned Investigations II Detective Sergeant will maintain a complete vehicle assignment and inventory list by unit, identification number and officer.

- Detectives will ensure that assigned vehicles are clean, properly maintained and repaired.

RADIOS AND CELL PHONES

- Each gang detective is personally responsible and accountable for their issued radio, cell phone and chargers.

- The designated Investigations II Detective Sergeant will maintain a complete radio and cell phone inventory list by unit, serial number and officer responsible for equipment maintenance and inventory.

LINE-UP BRIEFINGS

SOU Line-up briefing sessions shall be held daily at **(Deleted – records of security)** in the SOU Lineup Room. All investigative personnel are encouraged to attend. All-Unit briefings will be held as needed and will include all personnel assigned to the unit.

Any sworn officer within the department as well as law enforcement officers from outside the department should be encouraged to attend this meeting.

CRIME CASE LOG

Each Gang Sergeant will ensure that all cases assigned to his/her team are entered into the case log database. The Detective Sergeant is responsible for ensuring cases are routinely updated to reflect their current status.

GANG INTELLIGENCE FILE SECURITY

The gang intelligence file is located in a secured area with file access restricted to authorized personnel. Physical security of the gang intelligence file is imperative to maintain the confidentiality of the information stored in the file and to ensure the protection of the individual's right of privacy.

CalGang is a computer network linking our gang data with law enforcement agencies throughout California and Nevada. Access to the information contained in CalGang is limited to authorized personnel only. Passwords to the CalGang system will not be given to anyone, nor will any person authorized to use the system log on for any other person. The Gang Unit shall make every effort possible to help field personnel, State and Federal partners gain access to CalGang if they are investigating gang members or crimes committed by gang members and they have the right and need to know. The Gang Lieutenant determines who is denied access to CalGang.

DISSEMINATION OF INTELLIGENCE INFORMATION

The integrity of the intelligence file and CalGang system can only be maintained by strict adherence to proper dissemination guidelines. Abuses in the operation of the system due to failure to comply with the dissemination regulations may result in the violation of an individual's right to privacy and endanger the confidentiality of the file itself. Personnel who expose intelligence files will have their access revoked by the Gang Lieutenant.

Gang Unit personnel shall not release any information from the intelligence files or the CalGang system. Any questions concerning the release of intelligence file information shall be referred to the Custodian of Records. The Custodian of Records in consultation with the Gang Lieutenant has the final responsibility for determining what, if any, information will be released from any intelligence file.

- Under **NO** circumstances will copies of gang documentation information cards or CalGang printouts be distributed to anyone (including law enforcement officers) without the permission of the Custodian of Records or the Gang Lieutenant.

PURGING PROCEDURE

Once a subject is documented, information retained in the system must be reviewed and validated for continuing compliance with system submission criteria before the expiration of its retention period, which in no event shall be longer than five (5) years.

When it is determined the record is to be purged, the gang members record jacket must be submitted to the CalGang Administrator detective for purging from CalGang and ONS. The detective will then destroy all other documents in relationship to the documentation, i.e. FI's, copies of arrest reports, etc.

Once a gang member has been purged from CalGang, all material used to document that individual must be destroyed. Gang detectives may not maintain their own private files on purged individuals.

CUSTODIAN OF RECORDS

A detective sergeant is collaterally responsible for the duties of the Custodian of Records for the Street Gang Unit. The primary responsibility of the Custodian of Records is to protect the confidentiality of the Gang Unit's intelligence files. Typically, the threat of disclosure of the unit's confidential files is made by legal challenges during court proceedings.

There are legal statutes and numerous court decisions that have established distinctions between an investigative file and an intelligence file. Even though the two types of files share similarities, there are important distinctions between the two and what information, if any, must be disclosed upon a motion of discovery in a court proceeding. This distinction includes deputy DA's prosecuting gang cases.

The Police Department's legal position is that intelligence files (e.g. CalGang and gang documentation information card files) are to be treated like informant files. There are many complex legal issues associated with the keeping of confidential files; therefore, the Custodian of Records **must** be consulted regarding issues concerning Gang Intelligence Files.

The Custodian of Records is responsible for the following duties:

- Ensures compliance with Attorney General guidelines regarding the maintenance and dissemination of gang intelligence/informant files;
- Responds to subpoena duces tecum orders issued in gang cases for gang intelligence/informant files.
- Appears in court and responds in camera to legal challenges concerning the release of gang intelligence/informant files to outside entities;
- Maintains liaison and consults with the Police Legal Advisors when necessary;
- Stays abreast of recent case law concerning intelligence/informant files.
- Conducts periodic inspections of intelligence/informant files.

FILE ENTRY CRITERIA

The San Diego Police Department adheres to current CalGang regulations related to designating a criminal street gang as well as designating a person into the shared Calgang database. That criteria is as follows:

Designating a Criminal Street Gang:

- Must meet ALL of the following:
  - Three or more people.
  - Common sign, symbol and/or name.
  - Members collectively or individually engage in pattern of criminal activity.
  - One of the primary activities of the gang is commission of crimes enumerated in 186.22.

Designating a Person in CalGang:

- Must be 13 or older and meet at least two of the following (SDPD requires 3) in a one-year period:
  - Arrested for an offense consistent with gang activity.
  - Identified as an active gang member by a reliable source.
  - Associating with gang members already in CalGang or in the process of being entered into CalGang.
  - Displaying one or more symbols or hand signs tied to a gang.
  - At gang-related address. *
  - Wearing clothing or colors tied to specific gang. *
  - Gang tattoos, marks, scars or brandings indicating membership in a gang.
- * When used together, then at least one additional criterion shall be used.

AB 2298

Over the 2015-2016 legislative year, AB2298 was signed into law by Governor Jerry Brown. AB2298 does several things to PC186.34, and adds PC186.35. Provisions of AB2298 took effect on January 1, 2017.

PC186.34 was enacted in 2013. It required that before a minor could be entered into a shared gang database the minor, parent and/or guardian must be served with a notice indicating that due to a law enforcement contact, the minor had been designated as a gang member and could be entered into a shared gang database. There was also an appeals process for the minor, parent or guardian, to potentially have the minor's gang designation removed and ultimately have the document removed from the shared gang database.

The updated version of 186.34 leaves the notification process in place for minors, and now adds that anyone, minor or adult, who has been designated as a gang member be notified that they

may be entered into a shared gang database prior to being entered. It also adds that an attorney working on behalf of the person can also request the appeal.

The following applies:

- If the person already has an established Intel file, the agency is **not** required to send a notice.
- If the person meets the criteria for entry into a shared gang database, a letter per PC 186.34 shall be mailed to the listed address informing the subject, or parents, or guardians, that:

    1. The subject may be entered into a shared gang database.
    2. The reason for inclusion. The criteria information should be included on the notification letter unless providing that notification would compromise an active criminal investigation or compromise the health or safety of the minor.
    3. The agency contact information to contest (appeal) their inclusion.

Agencies are encouraged to provide alternative options to keep people in our communities away from gang membership and gang activity.

After the notification letter is sent, the person can be entered into the shared gang database.

If the person appeals their inclusion into a shared gang database, the following steps should be considered:

- The person, if a minor, their parents/guardians, or their attorney must submit a document contesting their inclusion to the designating agency that advised of the possible inclusion into a shared gang database and should include any and all supporting documentation.

- Proper identification for the person should be requested.

The letter contesting the inclusion should be date and time stamped when received by the law enforcement agency and forwarded to the law enforcement official responsible for reviewing the letters contesting inclusion.

The law enforcement official who reviews the appeal for inclusion will do one of two things:

1. Send a reply that denies the appeal explaining that the person will not be removed from the shared gang database

2. Send a reply that confirms the appeal, explaining that the person will be removed from the shared gang database for the contact.

The law enforcement official of agency receives a subject's contesting letter, that person shall review the source documentation that generated the letter and any supporting documentation submitted by the person, subject parents, or guardian, &/or attorney.

Once the law enforcement official makes a determination, they will mail a letter with their decision within 30-days of receiving the letter contesting inclusion.

The law enforcement official shall maintain a record of their decision for the integrity and accuracy of the intelligence database.

The agency still has the right to decline to release information based on Government Code 6254, or Evidence Code 1040 or 1041.

At no time should any information from an intelligence database be shared with the person and/or public in the field, custody setting, or front counter of any law enforcement agency.

With the exception of a court order, no source document should be provided to the subject. The letter mailed to the subject providing the reasons he/she may be entered into a shared gang database meets the requirement under PC 186.34

If the person, or if a minor, their parent, or their attorney does not accept the decision not to remove their name and information from the shared gang database, they can file a limited civil suit contesting their inclusion in a shared gang database. This civil case is heard by a Superior Court Judge. The respective agencies city attorney or county counsel should be actively involved in the civil hearing process. The User Agency will conform to the decision made by the judge

AB 2298 – SDPD Gang Unit Procedures

Initial Entry into CalGang:

In accordance with PC 186.34, prior to a local law enforcement agency designating a 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 local law enforcement agency shall provide written notice to the person, and shall, if the person is under 18 years of age, provide written notice to the person and his or 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 the minor.

As of January 1, 2017, all new gang member entries into the CalGang database must be approved by the Gang Unit lieutenant and a letter sent to the person notifying them of their entry into the CalGang shared database. The letter can be found on the G drive; Gangs; AB 2298; CalGang Letters and Logs; Letters; **Letter #1 Notification and Letter #1a Notification Juvenile**. The file must be saved to another location to edit the names and dates (see the following procedure).

1. SDPD Gang Unit detectives will make a determination if there are enough criteria to document a new gang member and whether or not to enter that person into the CalGang shared database system.

2. Newly documented gang members will be entered into CalGang, unless doing so would potentially jeopardize a life, expose a CI or jeopardize a current investigation.

3. Gang detectives will prepare **Letter #1 or #1a** addressed to the last known address of the person being entered into CalGang (use due diligence in determining best address).

4. The completed Letter and intelligence file must be approved by the immediate supervisor and by a Gang Unit lieutenant.

5. The Letter will be mailed "Certified Restricted" to the last known address. This ensures only the intended recipient will receive the letter.

6. After the notification letter is sent, the person can be entered into the shared gang database.

7. The returned letter or receipt will be filed in the person's intelligence file.

The CalGang Tracking Log must be completed for the appropriate entries. The CalGang Tracking Log can be located on the Gang Unit G drive in the CalGang Tracking Log folder. You will need the listed information to complete the log:

Personal Information

- Last Name
- First Name
- DOB
- Age
- Race
- Address (use last known address)
- Zip Code
- Beat
- Phone Number

1. Letter #1 Notification - date sent.
2. Certified receipt date or Certified return date.

Protest of Documentation – SDPD Procedures:

If the person elects to send a written appeal of their entry into the CalGang shared database, they will send the letter to SDPD along with any supporting documents. The letter will be routed to the

Gang Unit. The Gang Unit employee receiving the appeal letter will ensure it is date/time stamped. The letter will be hand-delivered to the Gang Unit lieutenant. The Gang Unit lieutenant will ensure the letter is logged into the CalGang Tracking Log.

The Gang Unit lieutenant will schedule a meeting with the assigned Gang Unit sergeant and the assigned detective to discuss and review the source documentation that generated the letter and any supporting documentation submitted by the person, subject parents, or guardian, &/or attorney.

At the conclusion of the meeting, a decision will be made to accept or deny the appeal. The Gang Unit detective will prepare **Letter #2 "Deny Removal"** or **Letter #3 "Agree to Remove"**. The letter can be found on the Gang Unit G drive; AB 2298; CalGang Letters and Logs; Letters; **Letter #2 or #3**. The file must be saved to another location to edit the names and dates (see the following procedure).

1. Gang Detectives will prepare **Letter #2 or #3** addressed to the person's return address.

2. The completed **Letter #2 or #3** must be approved by the immediate supervisor and signed by the Gang Unit lieutenant.

3. The **Letter #2 or # 3** will be mailed via Certified Restricted within 30-days of receiving the appeal letter (it is permissible for the person to come into HQ and pick up the letter after presenting valid identification).

4. The returned letter or receipt will be filed in the person's intelligence file (if picked up in person, put note on the tracking log).

The CalGang Tracking Log must be completed for each step of the process. The CalGang Tracking Log can be located on the G drive; Gangs; AB 2298 Letters and Tracking Log; CalGang Tracking Log (Excel program). You will need the listed information to complete this section of the log:

- Written Appeal Received Date
- Appeal Denied Yes/No
- Appeal Answer Sent Date
- Certified Receipt Date
- Certified Return Date

CalGang Inquiry Letter

Per PC 186.34, a person, or, if the person is under 18 years of age, his or her parent or guardian, or an attorney working on behalf of the person may request information of any law enforcement agency as to whether the person is designated as a suspected gang member, associate, or affiliate in a shared gang database accessible by that law enforcement agency and what law enforcement agency made the designation. A request pursuant to this paragraph shall be in writing.

The Gang Unit will date/time stamp the information request. The assigned detective will conduct a CalGang check and determine:

- Is the person's name and information entered into the CalGang database?
- Was the person entered by SDPD?
- Was the person entered by another agency and if so, which agency?

If the person's name was found in the CalGang database and it was entered by SDPD, notify the Gang Unit lieutenant. The Gang Unit lieutenant will schedule a meeting with the appropriate Gang Unit sergeant and the assigned "set" detective to discuss and review the source documentation.

A determination will be made if:

1. Notifying the requestor would potentially jeopardize someone's life, expose a CI or jeopardize a current investigation. If so, the person's information may be removed from the database (but maintained in SDPD intelligence files) and Letter #4 "No Record Found" will be completed and mailed to the person via "Certified Restricted" within 30 days of the receipt of the initial inquiry.

2. If notifying the requestor would not potentially jeopardize a current investigation, then **Letter #4 "In Database"** would be completed and mailed via "Certified Restricted" to the person within 30 days of the receipt of the initial inquiry. Any appeal would be handled via the previous listed appeal process.

If the person's name is in the CalGang database and it was entered by another user agency, the CalGang Detective will contact the entering agency and notify them of the written inquiry. That agency will determine:

1. If release of the information would potentially jeopardize a current investigation. If not, then **Letter #5 "In Database"** would be completed and mailed via "Certified Restricted" to the person within 30 days of the receipt of the initial inquiry. Any appeal would then be handled by that agency.

2. If release of the information would potentially jeopardize someone's life, expose a CI or jeopardize a current investigation, SDPD would work with the agency to ensure the information was protected within the framework of federal and state laws.

If the person's name is not in the CalGang database, **Letter #5 "Not in Database"** will be completed and mailed to the person within 30 days of receipt of the initial inquiry.

The CalGang Tracking Log must be completed for each step of the process. The CalGang Tracking Log can be located on the G drive; Gangs; AB 2298 Letters and Tracking Log; CalGang Tracking Log (Excel program). You will need the listed information to complete this section of the log:

- Inquiry Received Date
- Documented Yes/No
- Department That Entered Data
- Department Contacted Date
- Department Contact Name and Number
- Department Authorized Release of Information?
- Inquiry Answer Sent Date
- Certified Receipt Date
- Certified Return Date

If the person, or if a minor, their parent, or their attorney does not accept the decision not to remove their name and information from the shared gang database, they are allowed to file a limited civil suit contesting their inclusion in a shared gang database. This civil case is heard by a Superior Court Judge. The respective agencies city attorney or county counsel should be actively involved in the civil hearing process. The User Agency will conform to the decision made by the judge

The CalGang Tracking Log must be completed for each step of the process. The CalGang Tracking Log can be located on the G drive; Gangs; AB 2298 Letters and Tracking Log; CalGang Tracking Log (Excel program). You will need the listed information to complete this section of the log:

- Superior Court Challenge Notification Date
- Court Date
- Detective Assigned
- Sergeant Assigned
- City Attorney Notified Date
- City Attorney Assigned
- Hearing Results

INFORMANT RECRUITMENT AND HANDLING

(Deleted – records of security)

INFORMANT INSPECTION GUIDELINES

To ensure that informants are properly managed and their use is properly documented within the Street Gang Unit, the following inspectional guidelines will be used:

- **Managing Investigators:** Shall conduct warrant and CDL checks every six months, in June and December.

- **Unit Sergeants:** Shall review and update investigator's informant files on a continuing basis. Supervisors should periodically meet with the managing investigator and the informant to review the informant's productivity, reliability, credibility and veracity. These meetings should be recorded in the informant file Activity Log.
- **Unit Lieutenant:** Shall ensure that the informant files have been inspected every six months, January 1 and July 1, by the managing investigator and the immediate supervisor.

Areas of Inspections

- Proper format of informant files (cross reference, activity log, etc.)
- Has informant been used in the last six months?
- Is the Informant Activity Log up-to-date and in the proper format?
- Is the informant still of value?
- Verification of CI payments (last six months).
- Verify that managing investigator has not changed. If a status change has occurred, CIU must be notified.
- Informant Driver's License and warrant checks.

INVESTIGATIVE FUNDS

Investigative Funds exist to defray costs incurred during an investigation that are not specifically covered by the Police Department budget or other special funds. Investigative Funds are generally used to:

- Pay informants.
- Pay for contraband.
- Pay for miscellaneous expenditures necessary to facilitate an investigation, including expenses incurred while meeting with informants and citizen sources in public and private locations.
- Pay for miscellaneous expenses incurred while meeting with law enforcement organizations and groups necessary to facilitate exchange of information relating to criminal activities.

Investigative funds will not be:

- Mixed with personal money.
- Used for any other case expense.
- Used for any other purpose than those listed above.

Access

The Executive Assistant Chief is responsible for administering the Investigative Funds. The Investigations I and II Captains are responsible for disbursing the funds to unit commanders.

Payment/Expenditure Authorization

An investigator must obtain prior authorization from a supervisor for any expenditure in excess of $25.00. Investigators must seek prior approval for any expenditure that can potentially be viewed as questionable.

- Sergeants may approve single expenditures up to $200.00.
- Lieutenants may approve single expenditures up to $500.00.
- Captains must approve all expenditures over $500.00.

The Executive Assistant Chief should be consulted if there is any doubt about the appropriateness of the amount, nature, or justification for expenditures.

Record Keeping/Expense Sheets

Investigators assigned to the Street Gang Unit having access to investigative funds will maintain monthly Investigative Funds Expense Sheets. Investigators who have drawn Investigative Funds will submit expense sheets for months in which funds have been received and/or expended, or in which they have a balance brought forward. They will continue to submit monthly expense sheets until all funds received have either been expended or returned.

Documenting Expenditures

All Investigative Fund transfers must be documented on both the expense sheet of the person disbursing the money and the expense sheet of the person receiving the money. This includes funds that are received and returned the same day. Each entry on the expense sheet must include an explanation of the transaction. The "Reason for Transaction" space should include the purpose of the expenditure, the applicable case number, booking number, or case name.

Any money paid to an informant must be documented on an Intelligence Briefing memo. It must explain the value of the information obtained.

Receipts

Receipts are required for all Investigative Fund expenditures. This includes any gasoline charges, investigative purchases, payments to informants, or related expenses. All receipts must include the investigator's name, identification number, description of purchase and the applicable case number. The receipts are to be attached to the investigator's monthly Investigative Fund Expense Sheet.

Processing Expense Sheets

Investigators authorized to use Investigative Funds will submit monthly Investigative Fund Expense Sheets to their sergeants at the end of each month. Sergeants will check expense sheets for accuracy to determine if the expenditures were appropriate and ensure the expenses are properly documented. After approval, sergeants will forward expense sheets to the Street Gang Unit commander.

The Street Gang Unit commander will review the expense sheets for accuracy and maintain a unit file to retain past expense sheets. The unit's monthly Investigative Funds Expense Sheets must remain on file for three years and are maintained in the Gang Lieutenant's Office.

The unit commander is responsible for distributing money to the personnel in his or her unit. He or she will maintain an Investigative Funds Expense Sheet and record every transaction involving the transfer of money. Every month, the unit commander will forward the expense sheet to the appropriate captain for review. Once approved, the unit commander's expense sheet will be filed with the unit's past expense sheets. A copy of the unit commander's expense sheet will be forwarded to the Investigations I Captain by the tenth of each month. They will retain all Investigative Funds master records for three years.

Informant Payment

An informant Payment Voucher (Form PD-536) will be completed for all informants who receive funds regardless of the amount paid. Payments to informants will be made only by the managing investigator and will be witnessed by one additional investigator. Informants will sign a receipt at the time of payment using their true name. The white original is to be placed in the active informant's file. The yellow copy will be attached to the monthly Investigative Funds Expense Sheet. No copies of the voucher will ever be made.

Due to the nature of gangs and the difficulty of recruiting and keeping informants, the Gang Unit faces unique challenges. Rather than paying informants on the type of information gathered (i.e. a bindle of narcotics) the Gang Unit pays for the quality of information gathered. This allows us to see the most reliable information possible to solve cases and prevent violence. Therefore, the Gang Unit does not keep a set schedule for the amounts paid for types of purchases. Generally the amounts paid to informants will be similar to Narcotics. The value of the purchase rises if the person is willing to testify and or needs to be relocated.

Lost Investigative Funds

All lost Investigative Funds must be documented. The investigator in charge of the money lost during an investigative operation will complete a "Lost Investigative Funds Report." Investigators who lose their Investigative Funds will immediately notify their supervisor and prepare a formal lost property report. These reports are to be reviewed and signed by the investigator's supervisor and unit commander. After review, a copy of the report will be attached to the investigator's monthly Investigative Funds Expense Sheet.

Accounting Systems

Occasionally, units have a need to develop specific accounting systems to document purchases and expenditures during undercover operations. When such accounting systems are used, unit supervisors will be solely responsible for making entries to the new account and maintaining accurate records. Unit commanders will periodically review these records to ensure they are accurate and complete.