

GANG REGISTRATION



PROPOSITION 21 GANG REGISTRATION

BACKGROUND

With the passage of Proposition 21 on March 8, 2000, street gang members may be ordered by the court to register with local law enforcement as criminal street gang members if they are found guilty of violations of Sections (a) or (b) of 186.22 of the Penal Code, or on order of the court if found guilty of any crime the court determines to be gang related.

Penal Code Section 186.30 provides that any person convicted of the above sections shall register with the Chief of Police of the city in which he or she resides, or the Sheriff of the county in which he or she resides, within 10 days of release from custody, or within 10 days of his or her taking residence in any city or county, whichever event occurs first. This process requires that if the subject is a juvenile, he/she shall appear at the required law enforcement agency with a parent or guardian, and that both shall be served with a copy of the California Street Terrorism Enforcement and Prevention (STEP) Act which establishes the subject as a member of a criminal street gang, if applicable.

The registrant is required by law to furnish all the necessary information required to complete the attached court ordered registration form and to sign the form. If the subject is a juvenile, both the subject and the parent or guardian shall sign the court ordered registration form. The registrant is also required to submit to a photograph and a complete set of fingerprints to be attached to the form.

If a person subject to this court ordered registration relocates to a new residence, that person must notify the law enforcement agency within the residential jurisdiction in writing of his new location and submit the required documentation. The registration requirement in this article shall terminate five years after the last imposition of a registration requirement pursuant to 186.30 P.C.

The statements, photographs and fingerprints required under this section shall not be open to inspection by any person other than a regularly employed peace officer or other law enforcement officer.