

Memorandum

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: DUTY MANUAL ADDITIONS:
LAW ENFORCEMENT GANG**

DATE: December 10, 2021

APPROVED

Memo# 2021-041

BACKGROUND

On September 30, 2021, Governor Newsom signed [Assembly Bill 958 \(link\)](#), creating Penal Code section 13670 addressing law enforcement gangs. Penal Code section 13670(a)(2)(b) requires all law enforcement agencies to maintain a policy prohibiting participation in a law enforcement gang and making a violation of that policy grounds for termination. This law will go into effect January 1, 2022, however the Department is enacting the following policies effective immediately.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*. Deletions are shown in ~~strike through~~ form.

C 1453

LAW ENFORCEMENT GANG DEFINITION:

Added 12-10-21

Penal Code section 13670(a)(2) defines a law enforcement gang as a “group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under federal or state antidiscrimination laws, engaging in or promoting conduct that violates the rights of other employees or members of the public, violating agency policy, the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified, falsifying police reports, fabricating or destroying evidence, targeting persons for enforcement based solely on protected characteristics of those persons, theft, unauthorized use of alcohol or drugs on duty, unlawful or unauthorized protection of other members from disciplinary actions, and retaliation against other officers who threaten or interfere with the activities of the group.”

C 1454 **LAW ENFORCEMENT GANG PROHIBITION:**
Added 12-10-21

Department members are prohibited from participating in a law enforcement gang.
Department members who participate in a law enforcement gang are subject to discipline up to and including termination.

ORDER

Effective immediately, all Department personnel shall adhere to the above Duty Manual sections.



Anthony Mata
Chief of Police

AM:SD