89-006 Gang Member Release Policy

Los Angeles County Sheriff's Department

FIELD OPERATIONS DIRECTIVE

Field Operations Support Services

GANG MEMBER RELEASE POLICY

The current level of gang-related crime dictates that some gang members be exempt from elements of the Emergency Population Management program, even if they fall within the criteria for the release program. In order that they be held in custody, the following procedure shall apply:

- The Watch Commander may approve a hold, consistent with the provisions of 853.6 P.C., after gang membership has been confirmed. Confirmation should be made by a Safe Streets Bureau or Gang Enforcement Team representative, through the "GREAT" system, or by the Watch Commander's substantiation through admission, observation of tattoos, etc.
- If arrested for a misdemeanor offense, consistent with the provisions of 853.6(i), P.C., 1-9, the gang member may be held at the station, under certain circumstances, until transported to court for arraignment.

  NOTE: The misdemeanor offense for which the subject was arrested must be consistent with gang activity for the gang member to be detained. For example: arrests for assault, vandalism, theft, weapons laws, etc. are consistent with gang behavior. A misdemeanor drunk driving arrest would not in itself qualify the gang member for detention.

  - After arraignment, the suspect will be processed according to the direction of the court.
  - Similarly, if the gang member is arrested on misdemeanor warrants from a local court, the suspect may be held at the station, under certain circumstances, regardless of whether the amount of the warrant(s) falls below the aggregate amount of release under the Emergency Population Management program.

    NOTE: Like the direct misdemeanor booking, the key is criminal behavior consistent with gang activity. The warrant(s) must charge offenses associated with gang activity, i.e., assault, theft, vandalism, weapons laws, etc. Again, a misdemeanor drunk driving warrant alone would not qualify the gang member for detention.

  - Detained suspects shall be transported to the local court from the station for appearance on the warrants. The suspect will then be processed according to direction from the court.
- In the event that a gang member is arrested on a Sheriff's warrant issued by a court other than the local court, the suspect, when feasible, shall be transported to the appropriate station for appearance on the second business day. In instances when such transportation is impractical, the suspect shall be cited out.

Only those gang members who are arrested for felonies or who do not meet the release criteria of the

Emergency Population Management program will be sent to Men's Central Jail.