

Criminal Gang Investigative Data System (Gang Pointer File) Audit Report October 1, 2017

Minnesota Statutes 299C.091 Criminal Gang Investigative Data System (Gang Pointer File) requires the following action by the Minnesota Bureau of Criminal Apprehension (BCA).

Audit of data submitted to system; reports.

(a) At least once every three years, the bureau shall conduct random audits of data under subdivision 2 that documents inclusion of an individual in, and removal of an individual from, the Gang Pointer File for the purpose of determining the validity, completeness, and accuracy of data submitted to the system. The bureau has access to the documenting data for purposes of conducting an audit. By October 1 of each year, the bureau shall submit a report on the results of the audits to the commissioner of public safety.

(b) If any audit requirements under federal rule or statute overlap with requirements in paragraph (a), the audit required by paragraph (a) may be done in conjunction with the federal audit to the extent they overlap. Nothing in this paragraph shall be construed to eliminate any audit requirements specified in this subdivision.

The BCA conducts an annual audit of the Minnesota Gang File. As of October 2016, 275 subjects were in the Gang Pointer File. All individuals entered by local law enforcement had been previously purged through the normal audit process because those individuals did not have a qualifying conviction for a gross misdemeanor or felony offense at the time of their three-year review, or had been removed at the request of the agency prior to this audit period. The following law enforcement agencies had previously entered subjects that remain in the Gang Pointer File:

- Metro Gang Strike Force (responsibility for subjects transitioned to BCA Investigations)
- Minnesota Fusion Center

At the direction of Superintendent Drew Evans, the BCA made the Minnesota Gang File available to all Minnesota law enforcement agencies to enter and maintain the records for subjects meeting the Gang File requirements on February 27, 2017.

- The Minnesota Department of Corrections began entering records in July 2017. They have entered four new subjects at the time of this report.

The audit of the Gang Pointer File was completed for the period of October 2016 through September 1, 2017 with the previous report covering the period of October 2015 through September 2016.

The BCA Training and Auditing Unit has the responsibility to perform audits of the law enforcement agencies in Minnesota that have entered subjects into the Gang Pointer File.

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- There are no remaining local law enforcement records requiring an audit.
- All records entered under the Metro Gang Strike Force, the Minnesota Fusion Center and Minnesota Department of Corrections have been audited for the current one-year audit period.

BCA Training and Auditing staff reviewed 275 criminal histories on the remaining subjects in the Gang Pointer File and four new subjects entered during the past year. This audit also reviewed all remaining Metro Gang Strike Task Force records for the statutorily required documentation. Two hundred twenty six of the MGSF records did not have the required documentation supporting the record entry. Those records are included in the subjects removed resulting from this audit.

Of the 275 files remaining from the previous audit plus four new records, 232 subjects were determined not to have any additional qualifying criminal conviction and were accordingly purged from the Minnesota Gang File.

As of September 1, 2017, 47 subjects are in the Gang Pointer File.