

Criminal Gang Investigative Data System (Gang Pointer File) Audit Report October 1, 2019

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.

§ Subd.4 (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 September 2019, 198 subjects were in the Gang Pointer File. All subject records are reviewed during the audit process to determine if they have a qualifying conviction for a gross misdemeanor or felony offense within the three-year review period. The following law enforcement agencies had previously entered subjects in the Gang Pointer File:

- Metro Gang Strike Force (responsibility for subjects transitioned to BCA Investigations)
- Minnesota Fusion Center
- Minnesota Department of Corrections Fugitive Unit

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 records for subjects meeting the Gang File requirements on February 27, 2017.

- The FBI – Minneapolis Field Office and the Minnesota Department of Corrections Central Office began submitting records during the past year.

The audit of the Gang Pointer File covered the period of October 2018 through September 1, 2019. The previous report covered the period of October 2017 through September 2018.

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The BCA Training and Auditing Unit is responsible for conducting audits of Minnesota law enforcement agencies that have entered subjects into the Gang Pointer File.

- The Kandiyohi Sheriff Office is the sole local law enforcement agency with records requiring a triennial audit that is scheduled for 2020.
- All records entered by the Metro Gang Strike Force, the Minnesota Fusion Center, the Minnesota Department of Corrections Fugitive Unit, the Kandiyohi Sheriff Office, FBI – Minneapolis Field Office and the Minnesota Department of Corrections Central Office have been audited for the current one-year audit period.

BCA Training and Auditing staff reviewed 198 criminal histories on the remaining subjects in the Gang Pointer File of which 74 were new subjects entered during the past year.

Out of the 198 records reviewed, 19 subjects did not have any additional qualifying criminal conviction and were accordingly purged from the Minnesota Gang File.

As of September 1, 2019, 179 subjects are in the Gang Pointer File.