

Frequently Asked Questions:

Chicago Police Department (CPD) Criminal Enterprise Database Directive G10-01-03

What is the Criminal Enterprise Database?

The Criminal Enterprise Database is an intelligence tool that CPD members will use to input and access information about criminal street gangs. This intelligence system will include updated and vetted information about current criminal street gang membership and affiliation.

How is information in the Criminal Enterprise Database going to be used?

CPD members can only use information in the system while performing their official law enforcement duties, and following required training. CPD personnel will utilize the Criminal Enterprise Database to aid in overall gang crime reduction and suppression. Some examples include: to inform district-level and area crime reduction strategies, to enhance officer safety and awareness in the field, to analyze appropriate deployments in high crime areas, and to plan for missions following a gang shooting or other violent conflict involving criminal street gang members.

Who at CPD inputs information into the Criminal Enterprise Database?

Only CPD officers and designated Department members who are trained and authorized can input information about a person's gang affiliation or membership into the intelligence system. Training will be required on an annual basis.

How is criminal street gang membership or affiliation determined?

The criteria to determine criminal street gang membership or affiliation is going to be clearly outlined in the training and directives for each CPD officer. Officers will have to obtain verified and reliable indicators of a person's gang status in order to input them into the system. The information must be recent enough to remain relevant and useful for CPD's gang crime suppression efforts, or *obtained by CPD within the past five years*, in order to ensure that officers are not relying upon outdated or irrelevant intelligence information.

One indicator of criminal street gang membership or affiliation will include a recorded or lawfully intercepted admission of gang membership made by the individual.

An officer can also determine criminal street gang membership or affiliation by combining multiple indicators together, such as an unrecorded self-admission, gang tattoos, the use of gang signs or symbols, information provided from a confidential informant or another law enforcement agency, or an arrest or conviction involving gang activity.

Each indicator of criminal street gang affiliation or membership must be substantiated by specific, documented, and reliable information in order to ensure the intelligence is accurate. This includes documenting relevant and lawfully obtained photos, electronic communications, video recordings, recovered evidence, or other communications in order to support a determination of gang membership or affiliation.

How is a determination of gang status reviewed for accuracy?

Once a CPD member has positively identified a person as a criminal street gang member or affiliate with proper documentation for entry into the Criminal Enterprise Database, it will undergo several levels of review by supervisors and specialized CPD personnel, which will include:

- (1) First, the officer's supervisor will ensure that the entry was submitted in compliance with CPD's policy,
- (2) Second, a district intelligence officer will review the submission based on his or her expertise and current gang intelligence,
- (3) Third, assigned personnel in the Gang Investigations Division of CPD's Bureau of Organized Crime will also review the submission based on his or her expertise and current gang intelligence,
- (4) Finally, intelligence personnel within the Deployment Operations Section will have final authority to determine who is added into the Criminal Enterprise Database

Once criminal street gang information is entered into the Criminal Enterprise Database, how is it managed on an ongoing basis?

CPD's designated district-level, Gang Investigation Division, and Deployment Operations Section personnel will work together to each entry accurate going into the system, but also on an ongoing basis thereafter. Designated personnel will conduct an initial criminal street gang audit of the information maintained in the system, and then ongoing audits will be performed on an annual basis each year. The purpose of the gang audit is not only to ensure that the information entered into the intelligence system is in compliance with CPD's policy, but also to allow for ongoing review of accuracy as determined by CPD's gang intelligence experts.

CPD's annual audits will include an automatic removal of stagnant and outdated criminal street gang intelligence. Any person within the system who has not committed another qualifying crime or act in furtherance of gang activity will be automatically purged from the system after *five years*.

A person does not need to submit a formal appeal in order for their gang status to be automatically removed from the system. After a period of five years without an arrest for a qualifying criminal offense or act in furtherance of gang activity (excluding any time

served in custody, or while on probation, parole, or supervision, if applicable) the person will be removed from the Criminal Enterprise Database. After the five year period has lapsed, the person's criminal street gang status will be removed from the system at the next annual gang audit.

How can a person find out if he or she is in the Criminal Enterprise Database?

To find out if you are on the Criminal Enterprise Database, you must submit an access request form in-person to CPD's Access & Review Unit at the address and times set forth below. In order to protect your personal information and safety, you are required to go in-person so that CPD can verify your identity.

You may also obtain gang status information about your minor child age 17 and under, if you can verify your own identity and that you are the minor's lawful parent or guardian.

To access your gang membership or affiliation status, please arrive in-person at the following location and times:

Access and Review Unit, Records Division
Chicago Police Department Public Safety Headquarters

3510 S. Michigan Avenue, 1st Floor
Chicago, IL 60653

Monday through Friday (excluding holidays)
8:00am to 3:00pm

You will have to bring two forms of valid identification, one of which must be government identification, in order to verify your identity. If you are seeking to access the gang status of your minor child, you must also provide documentation to verify that you are the minor's parent or legal guardian.

If I am on the Criminal Enterprise Database and want to dispute CPD's determination of my gang affiliation or membership status, can I do so?

Yes, you will also need to submit a request for appeal form in-person. Requests for appeal are submitted at the same location and address to access your gang status:

Access and Review Unit, Records Division
Chicago Police Department Public Safety Headquarters

3510 S. Michigan Avenue, 1st Floor
Chicago, IL 60653

Monday through Friday (excluding holidays)
8:00am to 3:00pm

In addition to submitting a request for removal, you should bring any supporting documentation you think is relevant and important for CPD's consideration towards your gang affiliation.

All persons seeking to remove their gang status information from the Criminal Enterprise Database are subject to and must cooperate with a background check by the Chicago Police Department.

What resources are available to find out more information about the access and removal process?

The public can find out more information about how to access their own or their minor child's gang membership or affiliation status at the following sources:

- (1) Online by clicking the following link at [chicagopolice.org/LINK](#) [link is currently in development]
- (2) By email at gangstatusinquiry@chicagopolice.org OR
- (3) By visiting a district station or Community Policing Office personnel;

To find the closest district station to you visit
<https://home.chicagopolice.org/community/districts/>

What is the standard to successfully appeal my gang member or affiliation status?

CPD will conduct a review of the active entry or entries indicating criminal street gang affiliation or membership status, which includes a background check. CPD will look into relevant records and indicators that led to the initial determination of gang membership or affiliation. CPD will also consider any supporting documentation provided by the person who is seeking removal from the Criminal Enterprise Database.

As set forth in Sections VII and VIII of CPD's General Order G10-01-03, if CPD determines that the initial determination of gang status *was not substantiated by specific, documented, and reliable* information, a person can be removed from the system.

Additionally, if during the request for removal CPD determines that the person has met the five year period without committing a qualifying criminal offense or documented act in furtherance of gang activity, the person can be removed as a gang member or affiliate from the system. If the person was determined to be a gang member or affiliate in association with an arrest and conviction, the five year clock begins after the person is released from custody, supervision, probation, or parole, if applicable.

What happens if I am not identified as a gang member or affiliate in the Criminal Enterprise Database?

You can obtain an official letter from CPD indicating that at the time of the request, you are not currently identified as a member or affiliate of a street gang by the Chicago Police Department.

If I am removed from the Criminal Enterprise Database due to a successful appeal or pursuant to the annual audit, can I ever go back into the Criminal Enterprise Database?

Yes, but a CPD member would have to initiate a new entry into the database subject to approval by supervisors and specialized personnel, and based on the same criteria of specific, documented, and reliable information obtained within the past five years.

Does a successful appeal and removal from the Criminal Enterprise Database clear my record, and work in the same way as an expungement?

A successful appeal, or a person who is purged from the system after a five year period, results in a removal of criminal street gang membership or affiliation status from the Criminal Enterprise Database *only*. Due to local, state, and federal recordkeeping requirements, and for evidentiary purposes, CPD cannot destroy, alter, or edit the underlying criminal or investigative records. CPD will post a disclaimer on these types of documents indicating that law enforcement should not rely upon the criminal history records for a determination of criminal street gang membership, and refer law enforcement to the Criminal Enterprise Database.

If a determination of criminal street gang membership or affiliation was associated with an arrest or criminal conviction, the only legal path to completely remove the underlying records from a person's criminal history is through the expungement process.

Is the Criminal Enterprise Database shared with non-law enforcement third parties?

No. The Criminal Enterprise Database is law enforcement sensitive information, and therefore will never be shared with another agency or third party entity that is not a law enforcement agency. CPD members themselves are only authorized to use gang information for an official law enforcement purpose. In addition to general training and access safeguards among Department personnel, CPD's policy is explicit that criminal street gang intelligence in its system *cannot* be disclosed to any third party for employment, education, licensing, and housing purposes.

Is the Criminal Enterprise Database shared with federal law enforcement?

Yes. In accordance with federal law, CPD shares its internal law enforcement records with other federal law enforcement agencies, which includes criminal street gang intelligence. Again, this is law enforcement-sensitive information. It would be a violation of the data sharing agreement to share with third party employers, education institutions, licensing agencies, or housing or rental property owners and management. Access will be terminated if data sharing agreements are violated.

CPD will execute data sharing agreements with all law enforcement, corrections, and criminal justice partners who will have access to the Criminal Enterprise Database. These data sharing agreements will require outside law enforcement to abide by local, state, and federal law, and CPD's Criminal Enterprise Database policy and the City of Chicago's Welcoming City Ordinance in order to access information in the system. CPD will be able to conduct routine audits to ensure compliance.

Will the Criminal Enterprise Database contain information about a person's immigration status?

No. Pursuant to the City of Chicago's Welcoming City Ordinance, the Chicago Police Department does not collect or maintain information about a person's immigration status.

Officers using the Criminal Enterprise Database will be trained on the policy to ensure that they continue to follow the City of Chicago's Welcoming City Ordinance.