

**Subject** Retention of criminal gang investigative data

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## Overview

The Bureau of Criminal Apprehension (BCA) maintains a computerized criminal gang investigative data system for the purpose of assisting criminal justice agencies in the investigation and prosecution of criminal activity by gang members. An individual's information is placed in the database if that individual is involved in criminal gang activity and meets at least three of the nine criteria established by the Violent Crime Coordinating Council. Under current law, the BCA must destroy data entered into the system within three years of entry unless the individual is convicted, adjudicated delinquent, or has a stayed adjudication during the three year period after data is entered into the system. In that case, records are maintained for an additional three years.

This bill allows the BCA to retain records for three years after a person is released from the custody of the commissioner of corrections if the commissioner documents activities meeting the criminal gang identification criteria that took place while the inmate was confined in a state correctional facility.