

Bond Case Briefs

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Lona v. City of Fullerton Police Department

Court of Appeal, Fourth District, Division 3, California - August 24, 2020 - Cal.Rptr.3d - 2020 WL 4933571 - 20 Cal. Daily Op. Serv. 9030

Requester, an admitted former member of a criminal street gang, filed a petition against city police department requesting removal of his name from a shared gang database that listed him as a suspected gang member or associate.

The Superior Court denied requester's petition. Requester appealed.

The Court of Appeal held that:

- Any error in trial court's admission of department's second letter denying requester's request to be removed from database was harmless for purposes of trial court's ruling on requester's petition;
- Substantial evidence established that requester was an active "associate" or "affiliate" of the gang he previously belonged to, thus, supporting trial court's denial of requester's petition; and
- Trial court's denial of requester's attempt to introduce evidence to rebut department's denial letter with reference to department's opposition to requester's petition did not violate requester's due process rights.