

California Law Enforcement Telecommunications System (CLETS)  
Advisory Committee (CAC)  
Meeting Minutes (Unapproved)

April 28, 2011  
Folsom Police Department

**Present:** Vice Chair: Sam Spiegel (California Peace Officers' Association)  
Members: Lisa Solomon (California Police Chiefs Association), Gary Grootveld (Department of General Services), Fran Delach (League of California Cities), Scott Marshall (California State Sheriffs' Association), George Anderson (California Peace Officers' Association), Steve Westerman (Department of Motor Vehicles)

**Absent:** Reggie Chappelle (California Highway Patrol), Larry Spikes (California State Association of Counties)

**Vacant:** Department of Justice

**CALL TO ORDER** – Vice Chair Sam Spiegel called the meeting to order at 10:03 a.m.

**ROLL CALL** – CLETS Executive Secretary Valerie Fercho-Tillery called roll. A quorum was present.

**APPROVAL OF AUGUST 19, 2010 MINUTES** – A motion was made to approve the minutes.

Motion:	Gary Grootveld
Second:	Lisa Solomon
Vote:	Approved unanimously

**VICE CHAIR'S REPORT (Sam Spiegel)** – Vice Chair Spiegel announced the new Folsom Police Chief, Cynthia Renaud, from Long Beach Police Department. She will be sworn in Monday, May 2, 2011.

Vice Chair Spiegel indicated the CAC had not met since last August due to several issues and the agendas have been kept light the last several meetings. Changes had been made to the CLETS Policies, Practices and Procedures, which gave the Department of Justice (DOJ) the authority to approve upgrade applications, helping to streamline that process. However, ensuing meetings will resume the full agenda and last approximately two to three hours.

**EXECUTIVE SECRETARY'S REPORT (Valerie Fercho-Tillery)**

a. **Action items from the August 19, 2010 CAC meeting**

There were no action items.

b. **CLETS System Misuse Statistics**

Possible cases of CLETS misuse worked by the (DOJ) from October 2010 through March 2011:

Of the 38 cases reported:

- 17 cases are pending
- 21 cases were closed
- 0 cases of misuse were verified

Source of misuse complaints

- 30 Law enforcement
- 4 Federal
- 0 Private citizen
- 1 Criminal justice
- 3 DOJ

c. **CLETS Traffic Statistics (October 2010 through December 2010)**

	<u>Inbound</u>	<u>Outbound</u>
▪ Total messages	212,019,318	213,221,741
▪ Monthly average	70,673,106	71,073,914
▪ Peak day	2,784,989	2,797,077
▪ Peak hour	186,783	187,446

**CLETS Traffic Statistics (January 2011 through March 2011)**

	<u>Inbound</u>	<u>Outbound</u>
▪ Total messages	223,986,821	225,237,268
▪ Monthly average	74,662,234	75,079,089
▪ Peak day	3,021,057	3,035,451
▪ Peak hour	200,445	200,733

d. **Legislative Report**

1. Assembly Bill 13 – This bill would add charter schools to the existing law that authorizes a school district or county office of education to request a local law enforcement agency conduct an automated criminal history records check of a prospective nonteaching volunteer aide. The current automated records check is for a conviction of a designated sex offense. This bill would require the automated records check include convictions of a felony controlled substance offense as defined in Penal Code (PC) 44011 or a serious felony as defined in PC 45122.1.
2. Senate Bill 315 – This bill mandates a prescription be required for any over-the-counter medication containing an ephedrine-based drug. This is an Attorney General sponsored bill, with support from the California Narcotic Officers Association, the California Police Chiefs Association and the California State Sheriffs' Association. Ms. Fercho-Tillery asked if the CAC would like to send a letter of support to the bill's author. A motion was made for the CAC to send a letter of support.

Motion: George Anderson  
Second: Lisa Solomon  
Vote: Approved unanimously

**HAWKINS DATA CENTER UPDATE**

- a. **Business Managers Alliance (BMA) Telecommunications Focus Groups (Amy Peters)** – As a result of the BMA, two sub-workgroups were created; however, only one is still

functioning. One sub-workgroup was for XML and a specifications document was posted on CLEW, allowing users to review it and provide comments. The second is the Justice Information Sharing sub-workgroup, which allows law enforcement or criminal justice agencies to share their local information using the DOJ's backbone. A pilot was chosen, using mobile ID, which has been very successful. A memorandum of understanding (MOU) was developed between the Fresno County Sheriff's Department and California Highway Patrol. There is also an addendum to that MOU, an Interconnection Services and Security Agreement (ISSA). The ISSA brings in the DOJ and identifies the Department's roles and responsibilities and security requirements for using the DOJ backbone. The workgroup is working on a 60-day pilot period to determine the project's success.

The difference between this project and COPLINK is that COPLINK utilizes an Internet connection, whereas this project uses the Department's dedicated law enforcement backbone. DOJ has recently connected a couple of field offices to COPLINK, but those connections utilize the Internet.

Discussion ensued about whether there was anything preventing the utilization of COPLINK over the DOJ's backbone. Concerns include the amount of data that is intended to be shared. It's not necessarily a concern for the backbone, as the Department increased the bandwidth to accommodate a lot of traffic; however, the problem may occur at the local connection, where the individual circuit potentially could be overrun. CAC Member Lisa Solomon expressed her interest in continuing to make progress in the area of information sharing and the need to continue to put it out in the forefront for the future. DOJ Bureau Chief Julie Basco indicated that last summer the DOJ attempted to engage COPLINK in discussions to determine volume; however, the DOJ was unable to obtain an answer.

Lisa Solomon indicated she is a co-chair of the statewide data-sharing task force and would be happy to help obtain a response. Chief Solomon encouraged communications with Emily Robinson of the California Emergency Management Agency (CalEMA), who also may be very helpful. Chief Solomon suggested continuing this discussion with the DOJ's executive leadership to sit in those meetings to move this concept forward. There is a huge interest in creating a state node with this data. Amy Peters further indicated that Chris Rogers, with DLE, is working very closely with Emily Robinson in the area of a state node. CAC Member George Anderson suggested the topic be on the agenda at the next meeting and that Ms. Rogers could attend to provide an update.

Vice Chair Spiegel added that he thinks many people may not recognize the difference between the two systems and not understand the issue of volume of data. It becomes an issue when further expanding the technology and pushing mapping, photos and other types of data that consume bandwidth, Mr. Spiegel said. Determining the volume is important because everyone has diminishing budgets. At some point, more agencies may want to share web-based information over direct connections instead of over the Internet, and may have to increase the lines from a T1 to a T3. Other concerns include ongoing costs, infrastructural impacts, additional enhancements the state will need to consider and funding.

## **APPLICATIONS CALENDAR**

a. **New Service Applications** – There were three new service applications. Each application was voted on individually.

1. **U.S. Coast Guard Cutter-BLACKFIN** – BLACKFIN’S missions include recreational boating safety; commercial fishing vessel safety; counter-drug and alien migrant interdiction operations; and ports, waterways and coastal security – all requiring unit personnel to board and inspect vessels to ensure compliance with federal laws and regulations. BLACKFIN also partners with state and local agencies such as California Fish and Game to enforce state fishery laws and ensure harbor safety. BLACKFIN has statutory authority to access CLETS via Title 14 United States Code (USC) section 2; Title 14 USC section 89 (a) and (b); Title 14 USC section 143; and Title 19 USC section 1401. The agency will access CLETS through the Santa Barbara Police Department Message Switching Computer (MSC).

Motion: Lisa Solomon  
Second: Fran Delach  
Vote: Approved unanimously

2. **U.S. Fresno Air National Guard – 144th Security Forces Squadron** – The applicant is in Fresno County and wishes to obtain CLETS access via the Fresno County Sheriff’s Department’s wide area network (WAN) using a dedicated local area network connection. Its duties include the protection of personnel and priority resources on the Air Force installation. Currently, it obtains law enforcement information through its anti-terrorism officer’s contacts and other local and federal law enforcement. It was recommended during a recent vulnerability assessment that the applicant acquire a system to verify the identity of civilians desiring entrance onto the installation; therefore, the agency is requesting CLETS access.

Motion: Fran Delach  
Second: Scott Marshall  
Vote: Approved unanimously

3. **Western States Information Network (WSIN), Inc.** – For the past 30 years, WSIN has been a bureau within the CA Department of Justice (CA DOJ). WSIN is one of six Regional Information Sharing Systems (RISS) in the nation and is made up of the five western states of California, Oregon, Washington, Alaska and Hawaii. WSIN provides investigative support and information sharing for its participating member agencies. In July 2010, WSIN became a nonprofit organization and is solely funded through a federal grant administered by the U.S. Department of Justice under Title 42 USC section 3796h. WSIN, Inc. is given statutory authority to access CLETS via Penal Code section 11105.8. The agency will access CLETS through the CA DOJ MSC.

The DOJ’s CLETS legal counsel indicated the addition of Penal Code 11105.8 was a DOJ bill that was added to the trailer bill in the last session and became effective for the specific purpose of enabling WSIN to have CLETS access. The only question for the Committee is whether WSIN’s application meets the technical requirements of the CLETS Policies, Practices and Procedures. There isn’t any legal impediment for WSIN

having access to CLETS. A discussion ensued about how the DOJ came to make that decision, why the Committee wasn't made aware of the legislation before it was signed into law and if there are other existing agencies that could qualify under this section. Only another RISS would qualify. CAC member Anderson excused himself from the vote due to his involvement with the legislation and provided background information as to what led WSIN to become a nonprofit organization and the ultimate need for the legislation. Initially it was thought the change would not be considered a new service application that would be presented before the CAC, but rather a restructuring of an existing client.

Motion: Lisa Solomon  
Second: Gary Grootveld  
Vote: Approved  
Abstain: George Anderson

### **CLIENT REPORTS**

- a. **Los Angeles County Sheriff's Department** – The client submitted an application in which the DOJ technical review revealed the agency did not meet the encryption requirements in three areas. One issue has been resolved; however, two issues remain: microwave segments and wireless access for its mobile data terminals (MDTs). The original anticipated compliance date was June 2006. The client has requested three extensions, with the last anticipated compliance date of March 2012.

The MDTs will be replaced with mobile digital computers (MDCs), which meet the CLETS encryption requirements. The MDC project will resolve both compliance issues, as the cellular network will be used instead of the microwave circuits. The client previously projected the first rollout of MDCs to occur by October 2010. It is estimated that 125 MDCs will be rolled out per month until all 2,355 MDTs have been replaced.

Vice Chair Spiegel acknowledged the arduous task for the Los Angeles County Sheriff's Department to replace more than 2,000 MDTs and how challenging that can be for such a large project; however, he also acknowledged the report did not provide a commitment for the project completion date. He felt it appropriate that something go back from the Committee requesting a time frame.

- b. **Modesto Police Department (PD)** – The client submitted an application in which the DOJ technical review revealed the agency did not meet CLETS security requirements in two areas: encryption and password authentication for CJIS users. The original anticipated compliance date was December 31, 2009. The client was granted an extension until October 31, 2010; however, the vendor did not provide a product that met the agency's needs.

IT Manager Kevin Harless informed the committee that four of the five noncompliance issues were solved. To complete the fifth noncompliance issue, Modesto PD would need an extension to June 30, 2011. When asked how confident he was of achieving that goal, Mr. Harless said he was very confident because everything was being handled in-house. A motion was made to grant the extension.

Motion: Scott Marshall  
Second: Fran Delach  
Vote: Approved unanimously

- c. **Contra Costa County Sheriff's Department** – Several client agencies had previously submitted applications in which the DOJ technical review revealed the WAN links between the agencies and the county message switching computer did not meet DOJ encryption requirements. As the County Control Host, the Contra Costa County Sheriff's Department will be resolving this compliance issue. The original anticipated compliance date was December 10, 2009. The client has requested two extensions, with the latest anticipated compliance date of December 2010. The client was unable to update its compliance issues, since they had been turned over to the county's IT department. No one was available at the county's IT department to answer the status questions.

CAC Member Scott Marshall agreed to contact Contra Costa County Sheriff David Livingston and follow up on this matter.

## **MEMBERS' REPORTS**

- George Anderson reported that new Attorney General Kamala Harris has made several appointments, though the California Justice Information Services director still has not been selected. Matt Rodriguez will continue as acting chief deputy attorney general for legal affairs. Terri Carbaugh was appointed to serve as chief deputy attorney general for administration and policy. Ms. Harris has also brought in a few assistants who will deal with different issues across the state, such as technology. After a respite of a couple of years, the attorney general will resume zone meetings, going on the road monthly. The last one was held in Tulare and the next one is scheduled for the Redding area. Ms. Harris plans to hit all zones.
- Gary Grootveld presented the upgrade and replacement of CHP's radio system. The plan is to finish by June; however, delays may occur due to difficulties in accessing remote sites because of snow.
- Lisa Solomon reiterated she co-chairs the Statewide Data Sharing Task Force with Stanislaus County Sheriff Adam Christianson. The task force will be making a presentation at the International Association of Chiefs of Police (IACP) Law Enforcement Information Management (LEIM) Conference in June in San Diego to discuss the task force's work throughout the state.
- Steve Westerman reported issues surrounding the new DMV driver licenses. The issues are centered around a manufacturing plan that was implemented and put into live production before it was fully vetted. For the last several months, there have been several challenges in maintaining a production level that is adequate. DMV has been putting a lot of pressure on the manufacturer that has helped raise the production level to 95 percent. The 5 percent error rate translates to approximately 4,000 cards per day having to go back to a "remake" situation. A process has been put into place to issue a temporary license, good for approximately 90 days, upon successful completion of a license renewal application to allow time for the new license to arrive. The vendor has promised to bring the production levels back to normal. Two weeks after Mr. Westerman's comments, a DMV spokesman said the

problem had been rectified and the backlog was down to zero. On another note, the law that allows Prius and other specific hybrid cars to drive in the commuter lanes is sunseting as of July 1, 2011. Currently there have been approximately 85,000 vehicles approved to use the commuter lanes, but that privilege expires on that date.

**CAC DISCUSSION/OPEN FORUM /PUBLIC COMMENT**

None.

**NEXT CAC MEETING/ADJOURN** – The next CAC meeting will be scheduled for September 2011, with an exact date to be announced. Subsequently, Aug. 31 was chosen.

A motion was made for adjournment.

Motion:	Scott Marshall
Second:	Fran Delach
Vote:	Approved unanimously

The meeting was adjourned at 11:03 a.m.

**Action Items**

1. The CAC to send a letter of support to Senator Wright on SB 315.
2. The CAC to send a letter to the Los Angeles County Sheriff's Office, reminding the agency of the requirement to appear in person when requesting an extension.
3. Scott Marshall to contact the Contra Costa County Sheriff, reinforcing the requirement the agency send a representative to the next meeting if it is not compliant by then.