

California Law Enforcement Telecommunications System (CLETS)
Advisory Committee (CAC)
Meeting Minutes (Unapproved)
August 19, 2010
Folsom Police Department

Present: Vice Chair: Sam Spiegel (California Peace Officers' Association)
Members: Bill Stobie (California Department of Justice), Gary Grootveld (Department of General Services), Reggie Chappelle (California Highway Patrol), Larry Spikes (California State Association of Counties), Scott Marshall (California State Sheriffs' Association), George Anderson (California Peace Officers' Association)

Absent: Lisa Solomon (California Police Chiefs Association), Steve Westerman (Department of Motor Vehicles), Fran Delach (League of California Cities)

CALL TO ORDER – Vice Chair Spiegel called the meeting to order at 9:32 a.m.

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

APPROVAL OF MARCH 25, 2010, MINUTES – A motion was made to approve the minutes.

Motion: Larry Spikes
Second: Gary Grootveld
Vote: Approved unanimously

EXECUTIVE SECRETARY'S REPORT (Valerie Fercho-Tillery)

- a. **Action items from the March 25, 2010, CAC meeting** – None.
- b. **CLETS System Misuse Statistics** -- Possible cases of CLETS misuse worked by the DOJ from January 1, 2010, through June 30, 2010 (statistics are elevated because this time period constitutes six months, rather than the normal three months).

Of the 46 cases reported:

- 21 cases are pending
- 25 cases were closed
- 2 cases of misuse were verified

Source of misuse complaints

- 30 Law enforcement
- 6 Criminal justice
- 6 Private citizen
- 3 Department of Justice
- 1 Federal

c. **CLETS Traffic Statistics (January 1, 2010, through June 30, 2010)**

<u>January 1, 2010, through March 30, 2010</u>	<u>Inbound</u>	<u>Outbound</u>
• Total messages	213,326,451	214,090,556
• Monthly average	71,108,817	71,363,518
• Peak day	2,758,556	2,758,221
• Peak hour	186,191	188,402
<u>April 1, 2010, through June 30, 2010</u>	<u>Inbound</u>	<u>Outbound</u>
• Total messages	215,691,919	216,579,870
• Monthly average	71,897,309	72,193,290
• Peak day	2,737,087	2,746,015
• Peak hour	180,811	180,868

d. **Legislative Report (Senate Bill 938)** – At the previous CAC meeting, the committee discussed the policy of the California Highway Patrol (CHP) using CLETS to run criminal history background checks for tow-truck drivers. The policy is in statute, though a DOJ legal review determined the policy violated *Central Valley v. Younger*, since the DOJ must sanitize records for all applicants. This bill repeals the requirement that the CHP utilize CLETS when conducting background checks on tow-truck driver applicants and instead requires fingerprint background checks be conducted through the DOJ. As of Aug. 18, this bill was in its third reading of the Assembly.

HAWKINS DATA CENTER UPDATE

Business Managers Alliance (BMA) Telecommunications Focus Group (Valerie Fercho-Tillery) – The last meeting of the BMA Telecommunications Focus Group was July 8, 2010. The Stanislaus County Sheriff's Department and Stanislaus CHP previously were involved in a Mobile ID pilot of justice information sharing, the result of local law enforcement agencies desiring to use DOJ's communications network. Following an internal DOJ review showing controls were in place, the pilot was allowed to see if information sharing could be accomplished between agencies on the DOJ's network, as opposed to transactions going between a single agency and the DOJ. The goal is for more robust use of the DOJ network. However, due to a loss of resources at the Stanislaus Sheriff's Department, the original agencies have been replaced by the Fresno County Sheriff and Fresno CHP. Those agencies have progressed with a draft memorandum of understanding (MOU) and security agreement, and the draft MOU is at the Fresno County legal department for review.

APPLICATIONS CALENDAR

Consent Calendar – There were four new service applications – the Avenal Police Department, Maricopa Police Department, Supreme Court of California and Department of Defense (Defense Criminal Investigative Service). A motion was made to accept the Consent Calendar.

Motion: Scott Marshall
Second: George Anderson
Vote: Approved unanimously

CLIENT REPORTS

- a. **Los Angeles County Sheriff's Department** – The client submitted an application in which the technical review revealed the agency did not meet encryption requirements in three areas. One issue has been resolved; however, two issues remain: microwave segments and wireless access for its mobile terminals (MDTs). The original anticipated compliance date was June 2006. The client has requested three extensions, with the latest anticipated compliance date of March 2012. The MDTs will be replaced with mobile computers (MDCs), which will meet the CLETS encryption requirements. The MDC project will resolve both compliance issues, as the cellular network will be used instead of microwave circuits. The client projects 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.

- b. **Modesto Police Department** – 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.

- c. **Contra Costa County Sheriff's Department** – Several clients had previously submitted applications in which the DOJ technical review revealed the Wide Area Network (WAN) links between the agencies and the county MSC did not meet DOJ encryption requirements. As the County Control Host, the Contra Costa County Sheriff's Department will be resolving this compliance issue and had requested an extension until July 16, 2010. However, due to unexpected issues, the new anticipated compliance date is December 2010. *The agency requested an extension in writing because of its heavy workload and training commitments.*

A motion was made to grant the extensions.

Motion: Bill Stobie
Second: Larry Spikes
Vote: Approved unanimously

MEMBERS' REPORTS

- Reggie Chappelle – The CHP has just entered Year 5 of upgrading its radio system. But without a state budget and an inability for state information officer-employed technicians

to visit sites, project delays have occurred, ideally for not more than a few months. However, the CHP's new vehicle platform, designed by Rockwell Collins, has begun to make its way into the field, including all of Woodland's vehicles, which are being used as pilots. Compliance testing is complete, and Yuba City is next as vehicles continue to roll off the assembly line. The department's new CAD project is unaffected by lack of a budget and remains on schedule.

- George Anderson – The Automated Firearms System has been upgraded and has significantly more data fields and information. Also, the newly formed Firearms Dealer Acquisition System (FDAS) makes it easier for pawn brokers to enter firearms, and for agencies primarily to identify stolen firearms being pawned and for local agencies to be notified.

The Controlled Substance Utilization Review and Evaluation System (CURES), which monitors prescriptions for the state, went to more of a real-time, online access in the fall and has been quite successful, with more physicians, pharmacists and law enforcement personnel using CURES to identify doctor shopping, multiple prescriptions and the like.

- Sam Spiegel – He attributed today's short CAC meeting to revisions in the past 18 to 24 months of the CLETS Policies, Practices and Procedures and the streamlining of some processes. He said previously there was too much oversight by the CAC and that now much of that responsibility has been assumed by DOJ staff. Thus, the process has been expedited, and the applicants have benefited. He thanked staff for the improvements.

CAC DISCUSSION/OPEN FORUM/PUBLIC COMMENT

Bob Chaney, the Senior State, Local and Tribal Law Enforcement Advisor to United States Attorney General Eric Holder, read a statement from Mr. Holder:

“I would like to thank you for allowing me to address your meeting this morning. The United States Department of Justice recognizes that the information provided by [the] FBI National Crime Information Center (NCIC) is an important element of every state's Criminal Justice System. With that said, I have been asked to share with you a statement on behalf of Attorney General Eric Holder: The FBI's National Crime Information Center (NCIC) was developed to facilitate the dissemination of information to assist the nation's law enforcement community. The most important aspect of the NCIC program is to provide safety information to law enforcement officers as it may relate to stolen automobiles and wanted individuals. The Department of Justice supports and endorses the incorporation of all law enforcement agencies into the NCIC program. These agencies include, but are not limited to, federal, state, local and tribal police agencies that meet the federal guidelines established by the FBI for access to NCIC. I would like to express my appreciation for the service that CLETS provides to their law enforcement community.”

NEXT CAC MEETING/ADJOURN -- The next CAC meeting will be scheduled in March 2011, with an exact date TBA.

A motion was made for adjournment.

Motion:	Scott Marshall
Second:	Reggie Chappelle
Vote:	Approved unanimously

The meeting was adjourned at 9:54 a.m.