

**Summary of
September 22, 2020
CLETS Advisory Committee
Meeting**

This summary of the September 22, 2020 CAC meeting includes the agenda from the last meeting, the transcript and all presentations, which include the Executive Secretary's Report, the Legislation Update and the Staff Comments for the New Service OLES application; however, since there wasn't a quorum at the last meeting, the new service application will be up for vote at the December meeting. There were no action items from this meeting.

Department of Justice (DOJ)
California Law Enforcement Telecommunications System (CLETS)
CLETS Advisory Committee (CAC) Meeting
Notice and Agenda

BlueJeans Video Conferencing

September 22, 2020
1:00 p.m.

OPEN SESSION

1. Call to Order
2. Roll Call
3. Housekeeping
4. Chairman's Report
 - a. CLETS Advisory Committee Vacancies – California Highway Patrol and two positions representing the California Peace Officers Association
5. UPDATE: Executive Secretary's Report
 - a. CLETS Traffic
 - b. Misuse Statistics
 - c. Action Items from Last Meeting
6. UPDATE: Pending Legislation
7. UPDATE: Upgrade Applications Approved by DOJ
 - a. Alameda County Sheriff's Office
 - b. Auburn Police Department
 - c. Bell Gardens Police Department
 - d. CSU Fresno, Police Department
 - e. Glenn County Sheriff's Office
 - f. Irwindale Police Department
 - g. Los Angeles Airport Police Department
 - h. Los Gatos Police Department
 - i. Madera County Sheriff's Office
 - j. Marin County Sheriff's Office
 - k. Martinez Police Department
 - l. Mendocino District Attorney's Office
 - m. Merced County District Attorney's Office
 - n. Monterey County Sheriff's Office
 - o. Monterey Park Police Department
 - p. Ontario Police Department

NOTE: Items not designated for vote are appropriate for Committee action if the members choose to take action. Items may be taken out of order.

- q. Porterville Police Department
- r. Rialto Police Department
- s. Rio Vista Police Department
- t. Riverside County Sheriff's Office
- u. San Francisco County District Attorney's Office
- v. San Joaquin County Sheriff's Office
- w. Sand City Police Department
- x. Solano County Sheriff's Office
- y. Stockton Police Department
- z. Tuolumne County Sheriff's Office
- aa. Turlock Police Department
- bb. U.S. Department of Veteran's Affairs Police Department
- cc. UC Riverside Police Department
- dd. Vacaville Police Department
- ee. Yolo County Sheriff's Office
- ff. Yuba City Police Department

8. VOTE: New CLETS Service Applications

- a. CN-01 – CA Health & Human Services Agency, Office of Law Enforcement Support

9. Members' Reports

10. CAC Discussion/Open Forum/Public Comment

11. Next CAC Meeting/Adjourn

Notices and agendas are also available at the following website: <https://oag.ca.gov/meetings>.

To submit written material regarding an agenda item or questions regarding the agenda or meeting, please contact:

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ability to conclude existing settlement negotiations to its advantage."

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STATE OF CALIFORNIA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

TRANSCRIPT OF RECORDED PROCEEDINGS
CLETS ADVISORY COMMITTEE

Held on

SEPTEMBER 22, 2020

at

1:00 p.m.

via

Video Conference

MR. PAZIN: Ok, as it's indicated, the recording has started. I would just remind everybody that, having listened to a lot of media broadcasts about in-home schooling, be careful. So, with that said, I'll call to order as Vice Chair, this is and will remind everybody as you speak to identify yourself and it would probably be better for this recording, your organization, so that we have a very clear understanding of who's talking for the minutes down the road. This is Mark Pazin, chief law enforcement for CalOES. Scott Howland, as we know, has retired, hence I am filling in for him until the next vote for chair person. I will now turn it over for roll call and, in Maria's stead, is Wendy from the AG's Office. Wendy?

MS. TONKINSON: I'm going to call roll now. Let me know if you're present. Kory Honea for the California State Sheriffs' Association?

MR. HONEA: [no discernable response]

MS. TONKINSON: Mark Bonini for the California State Association of Counties?

MR. BONINI: [no discernable response]

MS. TONKINSON: Rick Hillman for the California Police Chief's Association?

MR. HILLMAN: [no discernable response]

MS. TONKINSON: Mark Pazin for OES?

MR. PAZIN: Present.

MS. TONKINSON: Thank you. Tom Wilson for the Department of Motor Vehicles?

MS. TONKINSON: I saw Tom sign on -

MR. PAZIN: That's Tom Osbourne.

MS. TONKINSON: Yeah, there's another Tom. Ok. Greg Park for the League of California Cities?

MR. PARK: Thank you. Here.

MS. TONKINSON: Thank you. Joe Dominic for the Department of Justice?

MR. DOMINIC: Here.

MS. TONKINSON: Having trouble hearing you, Joe.

MR. DOMINIC: Here.

MS. TONKINSON: Thank you.

MR. PAZIN: I see Rick –

MS. TONKINSON: And we -

MR. PAZIN: Rick Hillman has signed on here according to this. Rick, maybe you're muted?

Tom Wilson, one more time? We see that you're signed on. Or maybe these are the attendees as, again, we muddle through this.

Ok, having not heard from them, if they do come on, please let us know. I'm going to move on to item number –

MS. TONKINSON: We only have three members present so we do not have a quorum. Turning it over to Mark Pazin.

MR. PAZIN: Ok –

MR. HILLMAN: Hey Mark?

MR. PAZIN: Yes

MR. HILLMAN: This is Rick Hillman. Can you hear me ok?

MR. PAZIN: There we go. Thanks Rick.

MS. TONKINSON: Four members present and we still do not have a quorum. So we can go through the agenda, but we won't be able to vote on the new service applications unless a couple more members join us.

Ok, turning it over to Mark Pazin.

MR. PAZIN: I want to give Tom Wilson one more chance to maybe come on board with this new technology. In the meantime, we're going to move on to item number 3, the housekeeping component. And I would like to, as mentioned earlier, please members, when speaking, please identify yourself before making a motion or second for the transcript or for any informational purposes. The microphones for the attendees will be muted during the meeting except for the committee members, the CLETS Executive Secretary, and legal counsel. There will be an opportunity for public comment prior to any vote, towards the end of the agenda.

We're going to go on to item number 4, the Chairperson's Report. There are three vacancies: California Highway Patrol, the California Peace Officers' Association, and one with the California Police Chiefs' Association. Is that right, Wendy?

MS. TONKINSON: There's one for California Highway Patrol and two for CPOA; two positions vacant.

MR. PAZIN: Two for CPOA. Thank you. Cal Chiefs is by Chief Hillman. As Vice Chair, I have announced the three vacancies on the committee. I believe in talking to Maria that there have been three selected to fill this role, where we'll work with Joe sometime during the next couple weeks and in concert with Maria, we can get the persons sworn in so that we have a full complement of persons on our CLETS Advisory Committee.

Item number 5, the Executive Secretary's Report. I will now defer to Wendy for any items that you may want to share with the group.

MS. TONKINSON: David's telling us to share the screen for number 4. Hey David – Ok, next slide please. Hi, good afternoon, we're going to address three agenda items today, which are CLETS traffic, misuse statistics, and action items. Next slide please.

Ok, CLETS traffic statistics. We have our inbound and outbound messages are approximately 260 million. On average for the second quarter, which is April 1st through June 30th, our monthly average is approximately 86 million, both inbound and outbound, and our daily average is just under three million, both inbound and outbound.

The CLETS misuse statistics. For 2019, we have 1,289 agencies reporting. We still have 738 reports we have not yet received. Of those, 1,143 reporting no misuse, and 146 reported misuse. I want to explain the difference between the total numbers, between last year and this year. Last year we counted individual CLETS subscribing agencies when determining our statistics and this year we're going based on ORIs. So for example, if you had the Los Angeles County District Attorney's Office, you could have 40 reports being submitted by that agency alone, which explains why the numbers are much higher this year. Of the 146 misuse reported, we performed 202 investigations. Of those, one hundred – we found misuse in 135. We have 27 pending cases. And of those, 53 were counseled, 16 reprimanded, 69 received additional training, 14 individuals were suspended, 16 resigned, eight were terminated, and then we have one in the Other category, and I'm told that individual retired. Next slide please.

And we performed 18 journal searches. Eleven (11) of them resulted in no CLETS misuse, six of those are pending, one we found misuse and one individual was counseled. Next slide please.

So action items. We were to provide a coversheet to the committee members with the agenda from the last meeting, a summary of action items and actions taken, and a transcript. This information was provided to all committee members. Next slide please.

A summary of action items was created and attached to the meeting materials and provided to the committee members. Next slide please. Oh and the notice was posted on both the CLEW and AG's website. Next slide please.

Action item number 2. We were to provide examples to the committee to illustrate how CLETS PPPs section 1.6.4 impacts and prohibits the sharing of criminal justice information over unencrypted radio transmissions. And Chief Dominic was going to discuss the topic with the FBI. Next slide please.

The action taken is the FBI included the encryption requirement for radio transmissions as part of their 2020 IT Security Audit. All agencies found not to be compliant would be notified. Chief Dominic also received guidance from both DOJ legal counsel and the FBI on this issue. And the Department of Justice has drafted an Information Bulletin, which is currently under review. Slide please.

Action item number 3. We were to add a question to the security addendum where agencies were asked to verify that an agency policy is in place that clearly defines that employees are not allowed to share or reuse User-IDs and passwords. We were also asked to add that to the DOJ audit process. Next slide please.

And action taken... The policies do not require local agencies to have a policy in place; therefore, we added a question to - as part of the CLETS application process, we have a document that's a CLETS Security Question document. We added an additional question asking if agencies were allowing the sharing of passwords, and you can see that below on the slide. A similar question is also going to be added to the DOJ audit.

Action item number 4. Move motions that did not pass and require additional research to the Standing Strategic Planning Subcommittee, we call that the SSPS, for evaluation and recommendation, except for the issue of radio transmission. Action was taken to add questions to the CLETS Security Questions document and DOJ audits is being requested to also add that. Therefore, reconvening of the SSPS was not needed at this time.

Action item number 5. Provide the committee with a list of agencies that still have header violations, and they also requested updates on the challenges that these agencies are facing in meeting the requirement. Action taken; through continued outreach to all CLETS subscribing agencies, all are now in compliance with the message header requirements. Therefore a list was not provided to the committees – to the committee for today's meeting. Next slide.

And that's the end of the Executive Secretary's Report. Back to you.

MR. WILSON: Sheriff Pazin, Tom Wilson here. Just making sure you can hear me now.

MR. PAZIN: I got ya.

MR. WILSON: Ok, I have been here the whole time, but our department had one issue blocked where I could see you and listen to you but it didn't want me to interact with you

but we got that lifted, but I am here, present, and I have been present for the entire meeting.

MR. PAZIN: Thank you. I saw your picture there, ok.

MS. TONKINSON: We now have five people present, unfortunately still do not have a quorum. Thank you Tom.

MR. PAZIN: Alright, we'll go on to number – item number six. Now Kelly Brannigan is not available to provide a legislative update; however, there was a handout that was emailed to you for informational purposes, and it will be posted on the Attorney General's website and CLEW for meeting attendees and meeting – for members of the public. Which now brings us to item number 7,

MR. PARK: Mr. Chair, quick question on the legislative items.

MR. PAZIN: Yes

MR. PARK: At our last meeting, we had an update on [Assembly Bill] 1747, which is a new requirement for agencies to send additional information in a CLETS header, identifying the use of a CLETS transmission, a CLETS query, and an associated bulletin was sent, which was very helpful for our technical staff to get that information prepared in our message switches. There's also an element though, relating to audits and that each agency is now going to be subject to an additional audit, with an additional bulletin that has yet to come out. Do we have an update on when that additional audit-specific bulletin could be available to agencies?

MR. PAZIN: Joe? Can you answer that? You're still on mute.

MR. DOMINIC: Thanks for letting me know I was on mute, Chief Pazin. It's easy to forget sometimes. But anyway Greg, yeah I'll be happy to give you an update on that. So we're working with our – as we looked at 1747 and sent out the initial bulletin, it was imperative the technical work can begin from a local agency standpoint, so I appreciate all agencies doing the great work of all that getting done and incorporating it into their maintenance activities. With regard to the audit functions, we're working with our Civil Rights Enforcement Section, also some other legal units within DOJ to kind of look at what does 1747 really require from an audit perspective I mean just in more detail of how we want to flesh that out. So that will be coming out soon and I would be happy to share with this group, hopefully when we get this completed. But we're working on it as we speak. I don't have much more detail outside of more conversations are happening with regards to that bulletin coming out for that part

MR. PARK: Do you see perhaps there may be an extension to the July 1, 2021 deadline based on the extended work that's happening on the audits? Will there be an opportunity for agencies to see that and understand and have more time to prepare?

MR. DOMINIC: I think one part, Greg, is the requirement in the bill to be able to submit the reason for the inquiry, which we're working on. That's really the biggest component. The audit component is still fleshing out a little bit, but I think as long as we perform some of those activities – Are you talking to that part of it? Those changes to the various message switches to capture that information back to DOJ? You're talking about that, so that's legislatively required, so we'd have to talk about that a little bit more. I think there's a number on that bulletin for agencies to call for tracking those activities and planning from that perspective and certainly if there's some timelines that need to be talked about, we can talk about that, but the legislation is pretty clear about what the mandate requires. I think from a DOJ perspective, we're required to do "x, y, z" and we're working with the community to do that. Of course there might be some hiccups along the way, so we'll be happy to talk through that with the actual agency-level. A lot of them are moving forward with it and doing quite well with making those changes, so that was very good to hear. So Greg, if there's issues, we can certainly talk about that offline about needing more time and whatnot, but that's a case-by-case basis.

MR. PARK: Thank you.

MR. DOMINIC: You're welcome.

MR. PAZIN: Thank you. Any other questions or comments?

There being none, we'll move on to item number 7, it's the upgrade of applications approved by DOJ. In your packet, there was a list of 32 CLETS upgrades that you may review at your leisure. I'm not going to go through them all, but there's sheriffs' offices, police department, some DA's offices. That was included in your packets. I'll stop there in case anyone has any questions on that.

MR. PARK: This is Greg. No questions, but kudos to staff; that's a lot of work. Several applications approved since our last meeting and well done to them for that.

MR. PAZIN: Wendy says, "Thanks." Ok, again, the only item we had to vote on, we're going to table that due to lack of quorum, so we'll push that item over to our next meeting in December. We'll go on to Members' Reports. That will be item number 9 and I will ask for individually for a report regarding their agency and organization of the representatives of this committee.

So we'll go ahead and get started with Greg Parks. Anything?

MR. PARKS: Thank you sir. Just a few things. Again also want to do a special thanks to some DOJ staff who have been helping the California Police Chiefs and California Sheriffs Data Sharing Task Force Master Offense Tables effort. Marc St. Pierre, Jason Mizer, Chris Ellering, and Thomas O'Hare have all been instrumental in finishing the review of the Penal Code. On the Attorney General's website, we can now download a Master Offense Table dataset for our RMS and Case Management Systems that has

updated Penal Code information. We're going to start on the Vehicle Code. I've been talking to CHP, I think one of our new pending members, Chief Chris Childs, is going to help us connect into CHP and make sure we have expert review on the Vehicle Code, which we expect we'll take up next. So that's one item for sure.

And then another item for discussion or staff support, maybe SSPS work, would be the opportunity for an information bulletin to be sent out to agencies explaining how, in the event of a disaster, in the event of an emergency, they could prepare to have access to LEAWeb online and tested before the disaster in the event that they might have to evacuate their comms center in the event of some natural or other unnatural, maybe man-made event happens they could have preexisting access to LEAWeb online and available for them for offsite access. That would be my only other request. Thank you.

MR. PAZIN: Thank you.

MR. DOMINIC: Chief Pazin, I would like to make a quick comment to reply to Greg. Great comment, Greg on the disaster, I think we should all be thinking about it in lieu of what happened with the pandemic and how that impacted our operations and I think we should all be thinking about that. Certainly, with LEAWeb, I just want to point out that the majority of our inquiries, the roughly 3 million inquiries that we receive a day through CLETS is hitting against our message switch. There's just a handful, a very small percentage that are actually using LEAWeb. So when we're talking about that kind of volume, we'd have to look at - I think it's something that we'd probably need to look at from a broader level to see what is the infrastructure that is needed to support that type of - it's not going to be at that level if something major happens, but how do we build up that capacity to scale of LEAWeb to handle three million queries a day as opposed to x amount, which is very minimal at this point. I just want to make sure that we understand that the message switching system really takes a larger percentage of the queries that come to DOJ. LEA has a much smaller footprint, but I think, to your point, for access to this critical information, and at a national level, we should be looking at how we want to orchestrate that and make sure we have enough connectivity to agencies, maybe not to scale, but certainly to be able to query. So we can talk about that a little bit more. I can also look into, from an infrastructure side, maybe what the numbers are and what it would look like if we had all agencies having x amount of access, what would that do as far as utilization. And finally, LEAWeb is only accessible through the backbone so if there was a major disaster, it's not really internet-accessible without coming into DOJ, which does have redundancy built in our CLETS infrastructure. So disaster recovery, business continuity, all those things built in. We can certainly talk more about that, but I'd like to bring that back next time as an ongoing capability and certainly to your point, Greg, maybe we can talk further, maybe reconvene SPSS if you wanted to, talk through that. That would be good.

MR. PARK: I think the SSPS would give us some good insights on what's been happening, especially with recent disasters, where we had a couple of years ago, where we know, I think the sheriffs' comms center had to evacuate. I agree capacity is certainly an important element but I think we're focused on some very specific regional

disasters that we had planning in place and been able to test it so we know that works, we could deploy that and keep them up and running. So that would be great.

MR. PAZIN: Thank you gentlemen. Anything else from the floor? Rick?

MR. HILLMAN: Let's see, well, today's the second day of the California Police Chiefs' Training Symposium, so that's going along pretty well. For the first time, doing it virtually, so a new experience, and that'll be happening the same thing with the IACP this year, where Cindy Renaud is going to be sworn in as the Police Chief – President of the Police Chiefs' Association or International Police Chiefs' Association. Other than that, nothing else to report from me.

MR. PAZIN: Tom Wilson, anything for us?

MR. WILSON: Sure, just real quick, I just want to make sure that everyone is aware that DMV is in a major transformation to digital. We've been making some great gains at reducing the flow inside our field offices as a result of COVID-19 and some of the other things that are happening around us. And in that process they've revised their strategic plan of basically serving the public, licensing drivers, registering vehicles, securing those identities, and regulating the vehicle industry. But it's nice to see in the new strategic plan that it's really in the pursuit of public safety. I think that's what's key for us here, is that we're also trying to shore up our records with digital tracking and what's happening right now we've initiated our digital field office. If you haven't seen it already, you can do almost your entire transactions online with a virtual assistant, so the Investigations Division is now heavily looking at a data analytics team that we've created and we're probably going to reach out to some of the folks on this call for data sharing and how we can data share better and probably using some of the best practices that some of your teams already have out there at this point. But big changes in the next five years for the DMV.

MR. PAZIN: Thank you. I'll circle back to Joe Dominic. Anything... any updates for us?

MR. DOMINIC: No, Chief Pazin, but I'd like to ask just a follow-up question to what Thomas Wilson just mentioned, if you don't mind, just on the DMV side. With regards to the strategic plan, what is the DMV planning to do with the more accessibility to images on the law enforcement purposes? And out-of-state – has those conversations – included from a law enforcement or criminal justice perspective?

MR. WILSON: At this point, the primary focus of everything that's been going on is really more so shoring up the systems that are existing to the DMV because many of them are archaic and some of them pre-date some of us on this call, so they're really trying to modernize and get to the more technological era. As we're doing that, we're reviewing the processes that are in place right now, not only as they relate to data sharing and photo sharing, things like that, but we're still kind of really early on that that we can't exactly say what the future is going to be on that. But as the technology is changing for us, it's allowing greater availability for access and to produce what's in our

system, even from the '70s and '80s and bring it to the forefront, but what the potentials are for the future is still under review, and I think those conversations will probably be more of a 2021 type of conversation. Right now it's really about how do we get less folks through the front door as well less repeating visit folks because their transactions aren't completed and how can we allow folks to do their transactions online and virtually while still making sure they're secure and that they're actually accurate and we're dealing with the people we're supposed to be. But pretty much everything you asked about is on the agenda for review and assessment as we continue to progress.

MR. DOMINIC: Appreciate it, thank you. I know that technology modernization is key and then of course you have the policy discussions and when you're having strategic conversations it's good to mirror policy with strategic direction, so it's great that you're doing that. Thank you very much for the update.

MR. PAZIN: Thank you. And I'm going to ask Tom Wilson to give me a nice sign like the one in your office there for the background instead of the white wall over here. I didn't know what to put.

MR. WILSON: Just send me your logo, we'll get one taken care of for you.

MR. PAZIN: Thank you sir, thank you, that's cooperation. And then as far as the – for CalOES, just appreciate everyone's support. We have just been pummeled with Covid-19 now the fires. You know, some of you have assisted with the protests and as you well know, Louisville City is going to be announcing any type of – in fact they may have already done it, that's why I kind of have the TV on – what type of issue out of the unfortunate shooting that occurred there in Louisville so we have our plates full. I think moving forward, a lot of destruction of vehicles so I know the DMV, CHP, local law enforcement will be busy getting those VINs out of the system. As usual, we need to be very careful about fraud and people trying to skirt the system. So just to put that on the radar. We've been working very closely – I was hoping Corey [unintelligible] would be on there because we're dealing with that again up in Butte County. Other than that, that's all I have at this point in time. With that I will go to item 10.

MS. TONKINSON: [unintelligible]

MR. PAZIN: I will. That way my – Under public comment, is – I want to give Tom Osbourne - because he's busy. Under public comment, Tom Osbourne, if you're on, I know we have a lot of things happening so I want to kind of get you in the forefront before other public comment. So, Tom Osbourne? From the STAC. Tom, you may be muted. I see you have signed on. So we'll give Tom a few minutes to figure out the mute/unmute and then I will go on to any public comment for anybody that is signed on. I'll defer to Dave on that. Have persons raise your hand virtually and make any comments that they wish.

I shall defer to Wendy or Dave for how long – or is there anyone on the virtual network that you see, Dave or Wendy? David, do you see anybody? Let's circle back at the end. So maybe we'll give a couple minutes –

MR. PARK: It looks like Andrew – Andrew White might be trying to make a comment? In the event chat.

MR. PAZIN: [reading] Thank you Joe, Andrew typing.

MR. CARLSEN: Andrew, you can speak now.

Hi, Andrew White here, with Clear Lake Police Department. Joining today as an audience member. Hopeful by the next meeting that we can get the swearing in issue taken care of. I offered to drive up to Sacramento so we could participate and hopefully get closer to a quorum, so the offer still stands if somebody can get that situated, hopefully by December. But anyhow, glad to, or look forward to being a part of the committee.

MR. PAZIN: Thank you sir. Tom Osbourne, I'm going to give it one last go...

MR. CARLSEN: This is the moderator, David, again. Tom Osbourne, I sent you an invite to participate, you just need to accept if you can.

MR. PAZIN: Ok there he goes; he's been promoted to presenter.

MR. PARK: As he's queueing up, I just want to again extend a special thanks to Tom Osbourne, Jonathan Nunez. As was mentioned, the California Police Chiefs' Association Training Conference is going on this week and both Tom and Jonathan assisted in putting together a training that's going to happen later this week on how local agencies, law enforcement, can reach out in an event of a cyber disaster or an attack of some sort so I asked Tom if he could at least stop by, say hi, share a few words about how we can get ahold of him and his experts in the event we have a disaster we need to work through.

MR. PAZIN: And there he is; I see him on his – I see him in his fancy office. There you go.

MR. OSBOURNE: Hey Rick. Good to - can you guys hear me ok? Right on. Holy cow, you know, you're going to talk about cyber security and everything in that regard and I can't turn on this camera. But we got it figured out so thank you for giving me access, but Greg, thank you for inviting me. Chief Pazin and this illustrious crew. I just want to do a real quick overview of what we're doing over here at OES and our newly established Homeland Security Division, for which our California Cyber Security Integration Center resides. Just via a history lesson, this particular Center stood up in 2015 as a result of an Executive Order by Governor Brown. 2019, basically codified it into law, put it on the books that, yeah, it's probably a good thing to have a coordinated

integration center here for the State of California. With that, primarily our mission set to reduce the likelihood and severity of cyber attacks that go against California infrastructure and everything that is involved in our economy, so pretty broad mission set there. And we serve as a central coordinating or organizing hub of the California state government for cyber security activities. This includes coordinating cyber information sharing with our state and local, federal partners, as well as academic institution and non-government organizations, kind of just, you know, sharing all threat intel. Review threat intelligence, cyber threat intelligence from partner agencies. We assess risk, prioritize our threats and provide warnings of upcoming cyber attacks, and this helps us to develop an overarching State of California cyber security strategy. The Cal-CSIC is comprised – of course not one agency can go alone. The spirit of this is one team one fight. Multiple different agencies working together to better secure the State of California infrastructure and certainly anything that may impact our economy – I mean, the fifth largest economy in the world. There's a lot of stuff going on and certainly cyber crime is certainly on the rise and it's not going to slow down. The partner agencies with us – we're always looking for new partners as well – but the California Highway Patrol, the California Department of Technology, the California Military Department, the FBI, DHS, and the CISA components and many many other academic institutions and the like.

Just to put it in perspective, what we did last year in 2019, we responded to directly or assisted in 622 different incidents on cyber incident response, ranging everything from a ransomware attack to website defacements and the list goes on and on. We published 288 alerts and advisories and bulletins to approximately 1,000 different information sharing partners so, in that regard, if you'd like to get put on our distro, we put out a daily report talking about what's happening from a cyber perspective. A lot of the county Chief Information Technology Officers and the like get – are on our distro – but if you would like to be part of that, we're definitely happy to share.

As I briefly talked about, you know, the cyber crime objective, just from 2015 to 2019 per the FBI's Internet Crime Complaint Center, the loss to California from businesses to state government to private sector was approximately \$1 billion at that time frame. So if we were to kind of extrapolate out what does that projected loss in fraud it's about a 20% growth rate. As such, we have increased our capacity here at the Cal-CSIC. Even despite our budgetary shortfalls this past year, the Governor and the Legislature has put forth and approved our Budget Change Proposal. What that means for folks here listening on this is we're going from a mighty team of about 15 with allied partners jumping that to about 54, 30-plus new information technology experts to kind of come into the Center and help all of us.

The Cal-CSIC is going to be broken down into three groups. There's going to be an incident response component that is comprised of cyber analysts, CHP officers, FBI agents and the like, and analysts that basically will go down-range to help you and your organizations to mitigate the threat, figure out hopefully attribution of what's behind it. So we have a whole branch that will be nothing but incident response and we're going to – one of the goals that we have here for that particular branch is to become the first

certified incident response group coming from a state entity. So that's something we're moving towards.

Also, we're increasing our cyber threat intelligence group, a separate branch that does nothing about – nothing more than cyber intelligence, receiving cyber threat intelligence, producing cyber threat intelligence to ensure that we are collaborating across every sector possible.

Then lastly, a support branch that's going to keep all of that stuff running and the like. So, real quick high-level overview of what we are doing here within OES, Homeland Security Division, how we can be of service to this group. I can put my information over to Mr. Pazin, he can send it to the group if he likes. So if any follow-up discussions you would like, please by all means reach out. But thank you for your time.

MR. PAZIN: Hey Tom, I think it'd be a great opportunity in just a couple minutes to explain the STAS and just how intricately interwoven everybody is in these areas.

MR. OSBOURNE: Sure, yeah, happy to. So another component of the Homeland Security Division is our State Threat Assessment System, which is all the fusion centers within the State of California. There's five up and down the state and we work collaboratively together to receive, you know, see something say something, they process those suspicious activity reports. They will review those, they'll kick them over to the FBI and to the JTTF and to your local organizations as deemed appropriate. If it doesn't reach a terrorism nexus, or either international or domestic. They're also increasing the counter-intelligence component of that as well. One of the biggest threats we face in California is the cyber – I'm sorry, the counter-intelligence threat. So they're increasing that bandwidth and we all work collaboratively together to share information. Whether it's what we're seeing out on the dark web, different attacks that are against law enforcement in particular. Which reminds me of one thing Cal-CSIC did, and we lean on our STAS partners to reach out to your agencies, we detected that the group Anonymous was coming after 84 law enforcement agencies within the State of California. This was shortly after Floyd's death in Minneapolis there, and we found these ops plans to go after different agencies. So we would grab that here from what we see from a dark web perspective. We would kick it down to, let's just say, the NICRIC (phonetic) in San Francisco or in San Diego to then reach out to a lot of the agencies for which you represent to let them know that number 1, you're a target, number 2, how can we help you? In that particular instance, we prevented a lot of different cyber attacks. So yeah, so generally that network is out there and helping support and we collaborate greatly together, in conjunction with Mr. Pazin's shop on the Law Enforcement Branch. So one team one fight. And so from an intelligence sharing perspective or anything you need from that perspective, we can help in that regard. If you are – and I've got the critical infrastructure as well and maritime as well. So a little bit of this, a little bit of that to help us support you guys because we're here to support you.

MR. PAZIN: Very good. Thank you, thank you Tom. Tom comes to us via the FBI. He was an [unintelligible] SAC out of the Sacramento Office. Director [unintelligible] in all his wisdom, not only did he hire me, he also hired Tom Osbourne, so he's two for two.

MR. OSBOUNE: Yeah I picked the right time to leave the fed service, I can tell you that.

MR. PARK: Joe, you got something?

MR. DOMINIC: Yeah, I was just going to – I appreciate the update. I was just curious on the distribution of that information, how are you getting that intel out to the criminal justice community? What is your plan/model to do that?

MR. OSBOURNE: Yeah so a lot of times through the STAS we will send out just straight bulletins to those directors and then they have their distribution lists as well. So we'll send it to the Director or Deputy Director, let's just say, Leslie down in San Diego. All the counties [unintelligible] then she has her constituents and so she'll blast that out as well. So we go that route, we have people who will just directly want to get on our distribution and we send that out as well. So on the cyber piece we have 1,000 different people we blast intel out and different alerts and bulletins. So we have a pretty good network but always looking to be better and more efficient in how we communicate. A lot of times we will double-tap – you'll get information from the FBI OPE Office that you may get from your fusion center directly, you may get it from other sources but my philosophy is, well if you get it twice that's ok, it's better than not getting it at all. So that's generally how we do it Joe.

No, I appreciate that Tom. Because I know there's a lot of alert mechanism, notifications that are happening – I know I receive things from the FBI, I'm on their policy board and there's things, you know, technology providers – Palo Alto, Cisco, AT&T – we get a lot of information that's what's happening out in the wild and what's happening throughout the world and then we take action, right. A lot of that is automated through our technology, but it's great to get things that are happening be exploited, things that we should all be aware of, to the community. It'd be great to have a better mechanism to do that, I think we all struggle with that. So the things that you're talking about really resonate and it's great that we're talking about those things, it's just great to hear, later on more details about that thought of how we can all leverage that and get it out to the community, so they can sign up for it, for example, if they have a responsibility. Like if someone who's an IT manager or a Chief Information Officer, someone who can help get that into the organization and say, "Hey look there's some threats emerging; we need to take some action. We need to start, you know, block these countries or firewall [unintelligible] or services or whatever or take other precautions, right, that's, that's happening in the wild.

MR. OSBOURNE: Yeah we're – we have great grandiose ideas here and so we're, I would say, crawling before we can begin to walk in what we want – what services we want to provide. But it is our goal, it is our mission to reach out to all 58 counties and

largely work on kind of a scorecard methodology based upon what their current risk environment is. And then working towards helping them provide a strategy of how do you better share threat intelligence, how do you – Because a lot of times we'll push stuff and then it's up to you, we'll use you as an example, of whether you patch or not, critical updates it's on you. It's like tag you're it, like the game you play in tag. We're just going to tag you and then what's your goal, you're going to tag someone else to actually implement it and get it done. So huge huge state, tons of resources out there and we're trying to do it in the most efficient and effective manner. But I'm always open for suggestions, ideas, and thoughts of how to best integrate across our platforms.

MR. DOMINIC: Thank you

MR. PAZIN: And with that, thank you Tom. That will end item 10 for the open forum public comment. Item number 11, meeting to adjourn. We do not have a quorum so that will be mine to do. Prior to announcing the next meeting will be Tuesday, December 1, 2020, at 10:00 a.m. We'll get an email out as to –I don't know if we're going to do the Zoom/BlueJeans again or if we're going to be able to meet in person. I'll defer to Joe, Wendy, or Maria on that one. And Wendy, any closing thoughts, comments?

Ok everybody, thank you very much. We muddled through. Please tell Maria what an excellent job I did. Thank you.

CLETS ADVISORY COMMITTEE MEETING September 22, 2020



Executive Secretary's Report

- CLETS Traffic
- Misuse Statistics
- Action Items



CLETS Traffic Statistics

Second Quarter
April 1, 2020 June 30, 2020

Inbound Outbound

- Total Messages. . . . 257,663,036 258,847,964
- Monthly Average. . . . 85,887,679 86,282,655
- Daily Average 2,831,462 2,844,483



2018/2019 CLETS Misuse Statistics

1.10.1 System Misuse (D):
All CLETS agencies
shall submit a report to
the DOJ on the number of
investigations performed
related to CLETS misuse

*Investigations may find
multiple cases of misuse, and
Administrative Actions
may include more than one
response per incident

*As the result of a change in
reporting requirements (all ORIs
must be submitted), the total
number of ORIs not reporting can
be the result of multiple factors

Reporting Period (Total # of 2019 CLETS OR s: 2027)	2018 (Agencies)	2019 (ORIs)
Agencies/ORIs Submitting Form	1204	1289
Agencies/ORIs Not Reporting	0	738*
Agencies/ORIs Reporting No Misuse	1090	1143
Agencies/ORIs Reporting CLETS Misuse	114	146
Investigations Performed*	169	202
CLETS Misuse Found	143	135
Pending Cases	25	27
Counseled	21	53
Reprimanded	11	16
Training	62	69
Suspended	15	14
Resigned	10	16
Terminated	6	8
Other	4	1
No Action Taken	3	0



CLETS Journal Search Misuse Statistics

AGENCY SUPPORT

1.10.1 System Misuse (A):
... assistance from the
CA DOJ in conducting a
journal search of the CLETS
transactions, . . .

Investigations may find
multiple cases of misuse

Administrative actions
may include more than one
response per incident

	2020 (as of 9/15/20)
Journal Searches Performed Related to Potential Misuse	18
No CLETS Misuse	11
Pending	6
CLETS Misuse Found	1
Counseled	1
Reprimanded	0
Training	0
Suspended	0
Resigned	0
Terminated	0
Other	0
No Action Taken	0



Action Items

Action Item #1:

Provide coversheet to Committee members with the agenda of the last meeting, a summary of action items and actions taken, reference to where in the transcript the conversation took place and the presentations.



Action Items

Action Taken:

- A summary of action items/actions taken was created and attached to the previous meeting materials. References were made for action item discussion in the transcript.
- A copy of the document has been sent to Committee members and attached to the meeting notice on both CLEW and the AG's website.



Action Items

Action Item #2:

Provide real world examples to illustrate how CLETS PPP section 1.6.4 impacts and prohibits the sharing of CJI over unencrypted radio transmissions. Chief Dominic will discuss with the FBI.



Action Items

Action Taken:

- The FBI included the encryption requirement for radio transmissions as part of the 2020 CJ Information Technology Security Audit. Agencies found to not encrypt their radio transmissions were found to be in noncompliance, if transmitting CJI.
- Chief Dominic has received guidance from both DOJ legal counsel and the FBI on this issue.
- An Information Bulletin has been drafted and is currently under review.



Action Items

Action Item #3:

Add question to the security addendum where agencies are asked to verify that they have an agency policy in place that clearly defines employees are not allowed to reuse or share User-IDs and passwords. Also add this to the DOJ audits.



Action Items

Action Taken:

The policies do not require local agencies to have a policy as the requirement is stated at the federal and state level.

- A question has been added to the CLETS Security Questions:

Authorized CLETS users who are issued information system authenticators such as user-IDs/passwords, tokens, and key cards shall take reasonable measures to safeguard the authenticators per FBI CJS Security Policy section 5.6.3.2 and CLETS PPP section 1.6.7. Does your agency allow the sharing of information system authenticators? If yes, please describe.

- A similar question will also be added to the DOJ Audit.



Action Items

Action Item #4:

Move motions that did not pass and require additional research to the Standing Strategic Planning Subcommittee (SSPS) for evaluation and recommendation (except the item of radio transmissions)



Action Items

Action Taken:

Action was taken to add questions to the CLETS Security Questions and the DOJ audit as requested by the Committee. Reconvening the SSPS was not needed at this time.



Action Items

Action Item #5:

Provide the Committee (before the next meeting) a list of agencies that still have header violations. In addition, provide what the updates and challenges are for these agencies in meeting this requirement.



Action Items

Action Taken:

Through continued outreach to the agencies not meeting the header requirements, all agencies are now in compliance. Therefore, a list was not provided to Committee members.

CLETS ADVISORY COMMITTEE MEETING September 22, 2020



CLETS Advisory Committee (CAC) Legislation Update

Updated 9.20.2020

PEACE OFFICERS/POLICE PRACTICES

1) Assembly Bill (AB) 846 (Burke) – Public Employment: Public Officers or Employees Declared by Law to be Peace Officers

Status: Passed out of the Legislature and presented to the Governor.

AB 846 would require a potential peace officer to be evaluated by a physician and surgeon or psychologist and found to be free from bias against race or ethnicity, gender, nationality, religion, disability, and sexual orientation in addition to other factors currently evaluated. It would also require every department or agency that employs peace officers to review the job descriptions used to recruit and hire those peace officers and make changes that emphasize community interaction and collaborative problem solving, and deemphasize the paramilitary aspects of the job.

2) AB 1196 (Gipson) – Peace Officers: Use of Force

Status: Passed out of the Legislature and presented to the Governor.

AB 1196 would prohibit a law enforcement agency (LEA) from authorizing the use of a carotid restraint or a choke hold.

3) AB 1506 (McCarty) – Police Use of Force

Status: Passed out of the Legislature and presented to the Governor.

AB 1506 would, subject to appropriation, require the Attorney General to investigate incidents of an officer-involved shooting that results in the death of an unarmed civilian, as defined. It would authorize the Attorney General to prepare and submit a written report, as specified, and, if one is completed, require the Attorney General to post the report to a publicly-accessible website.

Commencing 7/1/2023, AB 1506 would require the Department of Justice (DOJ) to, upon request of a local LEA, review the use of deadly force policies of that agency and make recommendations on those policies.

FIREARMS

4) AB 2061 (Limon and Petrie-Norris) – Firearms: Inspections

Status: Passed out of the Legislature and presented to the Governor.

Beginning 7/1/2022, AB 2061 would allow the DOJ to inspect firearms dealers, ammunition vendors, or manufacturers participating in a gun show or event to ensure all transfers or sales are conducted in compliance with state and local laws. It would also allow the DOJ to inspect ammunition vendors to ensure compliance with applicable state and federal laws.

5) AB 2617 (Gabriel) – Firearms: Prohibited Persons

Status: Passed out of the Legislature and presented to the Governor.

CAC Legislation Update

Updated 9.20.2020

AB 2617 would require a law enforcement officer who requests a temporary emergency gun violence restraining order to file a copy of the order with the court within three court days of the issuance. The bill would make it a misdemeanor for a person to own or possess a firearm or ammunition with the knowledge that they are prohibited from doing so by an out-of-state gun violence restraining order. It would also extend the period for which the person is prohibited from owning or possessing a firearm or ammunition for five years beyond expiration of the existing gun violence restraining order.

6) AB 2699 (Santiago) – Firearms: Unsafe Handguns

Status: Passed out of the Legislature and presented to the Governor.

By 3/1/2021, AB 2699 would require the DOJ to issue a one-time notification, as specified, to all individuals and LEAs that are in possession of an unsafe handgun according to the DOJ's current records.

Thereafter, it would require the DOJ to issue a notice, as specified, to the individual or LEA taking possession of an unsafe handgun pursuant to an exemption at the time of purchase or transfer. Lastly, it would require individuals and LEAs in possession of an unsafe handgun to notify the DOJ of any sale or transfer of that handgun within 72 hours of the transaction.

7) AB 2847 (Chiu and Gabriel) – Firearms: Unsafe Handguns

Status: Passed out of the Legislature and presented to the Governor.

Existing law requires manufacturers to imprint a microstamp in two or more places on the internal working parts of a newly manufactured semiautomatic pistol.

By 7/1/2022, AB 2847 would require firearms manufacturers to imprint a microstamp in one place on the interior of a newly manufactured semiautomatic pistol.

For each new firearm added to the roster of handguns that have been tested and determined not to be unsafe handguns, the bill would require the DOJ to remove three firearms from the roster that are not compliant with the microstamping requirements.

8) Senate Bill (SB) 914 (Portantino) – Firearms

Status: Passed out of the Legislature and presented to the Governor.

By 7/1/2021, SB 914 would require the DOJ to confirm the validity of a hunting license with the Department of Fish and Wildlife during a background check when a person under the age of 21 is using the hunting license to purchase a firearm.

MISCELLANEOUS

9) AB 1969 (Blanca Rubio) – Secondhand Goods: Tangible Personal Property: Reporting Requirements

Status: Passed out of the Legislature and presented to the Governor.

CAC Legislation Update

Updated 9.20.2020

Beginning 7/1/2023, AB 1969 would exempt a seller or pledger who verifies their identity using a Matricula Consular from the requirements that their personal identifying information (PII) be reported to the California Pawn and Secondhand Dealer System (CAPSS). It would require each secondhand dealer or coin dealer to record and maintain specified PII of such a seller or pledger for three years from the date the item was reported to CAPSS, and provide it to law enforcement upon receiving notification that the item has been reported lost, stolen, or embezzled.

10) AB 2606 (Cervantes) – Criminal Justice – Supervised Release File

Status: Passed out of the Legislature and presented to the Governor.

Every 10 days, AB 2606 would require each county probation department or other supervising county agency to update any supervised release file that is available through CLETS by entering any person that is placed on post-conviction supervision in their jurisdiction.

New CLETS Service Application Staff Comments	Calendar # CN-01
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Agency Name:	CA Health & Human Services - Office of Law Enforcement Support (OLES)		
Resident City:	Sacramento	County:	Sacramento
Recommendation:	Approval		

AGENCY			
Class: 1=Law enforcement agency 2=Criminal justice agency 3=Law enforcement sub-unit of a non-law enforcement agency	3	Statute of Entitlement:	California Penal Code 830.3(v) Welfare & Institutions Code 4023.6
Primary function of agency (How will CLETS be used?)	Investigates any incident at a developmental center or state hospital that involves developmental center or state hospital law enforcement personnel and that meets the criteria in Section 4023 or 4427.5, or alleges serious misconduct by law enforcement personnel.		
Post certified?	Yes	Peace Officer Powers?	Yes
No. of sworn personnel:	5		
SYSTEM			
Type of computer system(s) planned to be used by agency in processing CLETS transactions:	Type of System		
		Local Area Network (LAN)	
		Wide Area Network (WAN)	
		Computer Aided Dispatch (CAD)	
		Records Management System (RMS)	
		Message Switching Computer (MSC)	
		Wireless Server	
		Controller/Other Server	
	x	No System	
Type of interface to CLETS:	Type of Interface		
		Direct line interface to CLETS as county-wide MSC	
		Direct line interface to CLETS as host for other agencies	
		Direct line interface to CLETS for own agency only	
		Via county MSC to CLETS	
	x	Via DOJ's LEAWEB	
	Via other interface		

New CLETS Service Application Staff Comments	Calendar # CN-01
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Type of connection to be used to access CLETS:	Type of Connection					
	x	Dedicated Land Line <i>(Department of State Hospitals)</i>				
		Wireless (Identify): WiFi, Cellular,				
		Satellite/Microwave:				
		Remote Communications (Public, Dial-Up, etc.): VPN, Dial-Up, Public				
	Other:					
Number of terminals planned:	0	=Fixed	0	=Mobile	0	=Total
If Internet access, does it meet CLETS firewall policy?	Yes					
If direct interface, will agency journal all transactions for three years per CLETS policy?	N/A					
Level of access:	Inquiry Only					
Additional Comments:	This application has been reviewed by all affected Department of Justice programs and there are no concerns to report. The agency will be utilizing an existing terminal at that same location.					
<i>HOST RECOMMENDATION</i>						
Host system (MSC, etc.):	California Department of Justice					
Host recommendation:	Approval					
Host recommendation by:	Naren Mikkilineni, CLETS Support Services Section					
<i>AUTHOR</i>						
CLETS Analyst:	Ryan Mallory			Telephone:	916-210-4150	
Analyst e-mail address:	Ryan.mallory@doj.ca.gov					
<i>Please contact the analyst if you have any questions on the application or staff comments</i>						