

Summary of December 14, 2023

CLETS Advisory Committee

Meeting

This summary of the December 14, 2023 CLETS Advisory Committee meeting includes:

- Action Items from Meeting
- Agenda from Meeting
- Executive Secretary Report
- Legislative Update
- CLETS PPPs Presentation
- ASAP to PSAP Update Presentation
- Transcript of the Meeting

Action Items from December 14, 2023

CLETS Advisory Committee

Meeting

This summary of the Action Items from the December 14, 2023 CLETS Advisory Committee meeting includes:

Action Item #1:

Provide guidance to agencies regarding how to plan for an outage that affects an entire county.
(page 10, lines 21-25)

Action Item #2:

Notify agencies of ASAP to PSAP availability.
(page 21, lines 12-23)

Action Item #3:

Determine if retraining should be required if operator misuse is found to have occurred.
(page 30, lines 20-25; page 31, lines 1-15)

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

December 14, 2023
10:00 a.m.

Elk Grove City Council Chambers
8400 Laguna Palms Way
Elk Grove, CA 95758

OPEN SESSION

1. Call to Order
2. Roll Call
3. Housekeeping
4. Approval of Minutes from the June 27, 2023, CAC Meeting
5. Chairman's Report
 - a. New Committee Member Introductions
 - CA Department of Justice Chief Veronica Gilliard
6. Executive Secretary's Report
 - a. CLETS Traffic
 - b. Misuse Statistics
 - c. Action Items from Last Meeting
7. Standing Strategic Planning Subcommittee (Ashish Kakkad) – SSPS Chair Kakkad will provide an overview of discussions and potential future action items.
8. Automated Secure Alarm Protocol (ASAP) to Public Safety Answering Point (PSAP) – Bob Turner will provide an update on ASAP to PSAP.
9. CLETS Legislative Update – John Ponce, DOJ, will provide an update on pending legislation.
10. Policies, Practices, and Procedures (PPP) – Proposed updates to the PPPs required due to updates to the FBI's CJIS Security Policies and/or California Assembly Bill 44.
11. New Service Applications
 - a. CN-01 – National Park Service, Lake Mead National Recreation Area, Visitor and

Resource Protection Unit (Clark County, Nevada)

12. Upgrade Applications Approved by DOJ

- a. City of Campbell Police Department (Santa Clara County)
- b. City of Santa Monica Police Department (Los Angeles County)
- c. City of Emeryville Police Department (Alameda County)
- d. Santa Clara County District Attorney's Office (Santa Clara County)
- e. City of Piedmont Police Department (Alameda County)
- f. Merced County District Attorney's Office (Merced County)
- g. City of Montebello Police Department (Los Angeles County)
- h. Sierra County Sheriff's Office (Sierra County)
- i. City of Rio Dell Police Department (Humboldt County)
- j. City of Pomona Police Department (Los Angeles County)
- k. Contra Costa County District Attorney's Office (Contra Costa County)
- l. City of Upland Police Department (San Bernardino County)

CLOSED SESSION

13. Client Report for noncompliance issues – Closed session pursuant to Government Code section 11126, subdivisions (c)(18) – Review of detailed Client Reports regarding specific matters that pose “a threat or potential threat of criminal activity” against CLETS and/or CLETS data transmitted between the Department of Justice and specific client law enforcement agencies.

OPEN SESSION

14. Members' Reports
15. CAC Discussion/Open Forum/Public Comment
16. 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:

Department of Justice
CLETS Administration Section
Lydia Shindelbower
Telephone: 916-210-4240
cas@doj.ca.gov

The CAC complies with the Americans with Disabilities Act (ADA) by ensuring that the facilities are

accessible to persons with disabilities, and providing this notice and information given to the members of the CAC in appropriate alternate formats when requested. If you need further assistance, including disability-related modifications or accommodations, you may contact the CAC no later than seven (7) calendars days before the meeting at (916) 210-4240 or cas@doj.ca.gov.



C A L I F O R N I A

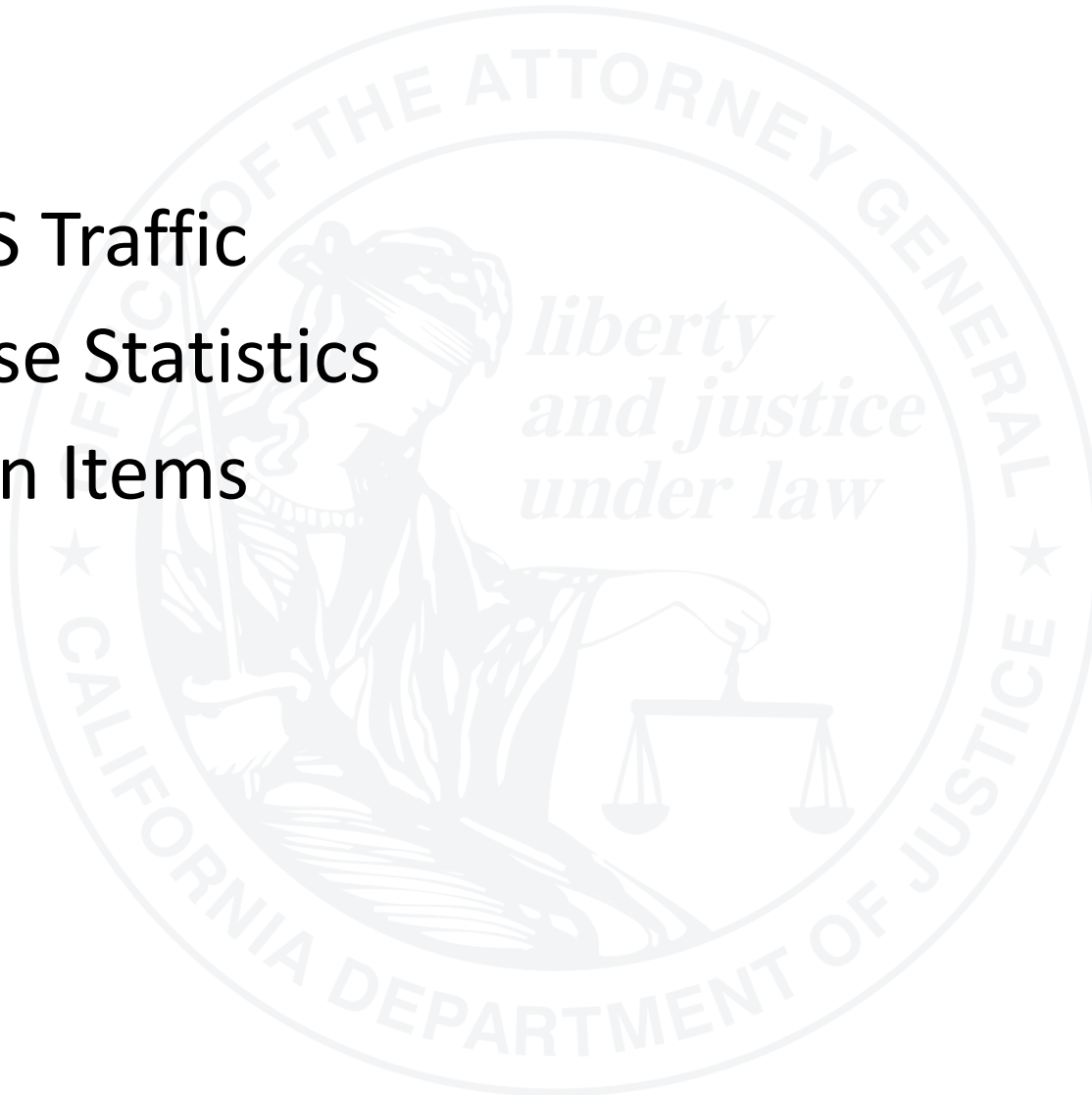
DEPARTMENT OF JUSTICE

**CLETS ADVISORY COMMITTEE
MEETING**

December 14, 2023

Executive Secretary's Report

- CLETS Traffic
- Misuse Statistics
- Action Items



CLETS Traffic Statistics

Third Quarter

July 1 – September 30, 2023

	<u>Inbound</u>	<u>Outbound</u>
Total Messages.....	256,281,904	257,096,638
Monthly Average.....	85,427,301	85,698,879
Daily Average	2,785,673	2,794,529
Peak Day	3,424,112	3,436,263



CLETS Traffic Statistics

**Reporting agencies consistently falling
below 95 Percent Up Time
Total 160 CLETS Direct Connections (LCT)**

CLETS Direct Connect Lines	Average Up Time (%)
Santa Barbara Co SO	80.21
Lassen Co SO	93.21
Orange Co SO	99.99
Oct. 22 - Nov. 2	0.0



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

¹ Investigations may find multiple instances of misuse, and administrative actions may include more than one response per incident

Calendar Year Reporting Period	2022
Agencies/ORIs Submitting Report	1681
Agencies/ORIs Not Reporting	0
Agencies/ORIs Reporting No Misuse	1625
Agencies/ORIs Reporting CLETS Misuse	56

Calendar Year Reporting Period	2021	2022
Investigations Performed	181	167
Pending Investigations	2	12
No CLETS Misuse Found	79	79
Misuse Violations Found ¹	115	83
Counseled	40	26
Reprimanded	15	10
Training	46	45
Suspended	19	10
Resigned	15	7
Terminated	14	9
Other	5	2
No Action Taken	1	0



CLETS Journal Search Misuse Statistics

**1.10.1 System Misuse (A):
Assistance from the
CA DOJ in conducting
a journal search for an
Agency**

- Investigations may find multiple instances of misuse, and administrative actions may include more than one response per incident

* Administrative actions are pending

Calendar Year	2022	2023
Agency Investigations Requesting Journal Searches	44	37
Pending Investigations	1	17
No CLETS Misuse Found	42	18
Misuse Violations Found	1	2
Counseled	0	0
Reprimanded	0	0
Training	1	0
Suspended	1	0
Resigned	0	0
Terminated	0	0
Other	0	*2
No Action Taken	0	0



Action Items

Action Item 1 – Coordinate with DOJ Network Services Group (NSG) to provide information regarding the November 18, 2022, CLETS outage.

Action Taken – At the June 27, 2023, CAC Meeting, Maria Cranston read an email from Max Lindroth, Manager over the DOJ NSG, regarding the November 2022 outage, and provided the contact information for Max. Maria instructed those that have follow up questions regarding the outage to reach out to Max directly.

On Oct. 30, 2023, the CLETS Administration Section followed up with Max. Max indicated that he had not received any follow up inquiries related to the matter, and that he had no further updates to provide.





C A L I F O R N I A

DEPARTMENT OF JUSTICE

**CLETS ADVISORY COMMITTEE
MEETING**

December 14, 2023

CLETS Advisory Committee (CAC) Legislation Update

June 27, 2023

1) Assembly Bill (AB) 44 (Ramos) – California Law Enforcement Telecommunications System: tribal police

Status: Chaptered on October 10, 2023 – Chapter 638, Statutes of 2023

AB 44 requires DOJ to grant CLETS access to any tribal law enforcement agency and tribal court that applies for access and meets certain qualifications, namely: the tribes' governing body has enacted or adapted a law, resolution, or ordinance that provides for all of the following:

- An express waiver of sovereign immunity for claims arising out of, connected with, or related to CLETS;
- The tribe agrees that the substantive and procedural laws of the State of California shall govern any claim or suit related to CLETS;
- The courts of the State of California or the federal government, as applicable, shall have exclusive jurisdiction over such claims;
- The tribe shall cooperate with any inspections, audits and investigation by DOJ for improper use and compliance with the operating policies, practices and procedures, including any sanction, discipline from the DOJ; and,
- The tribe shall comply with all of the laws of the State relating to the use of records and information in the system.
- The tribe shall comply with the DOJ's regulations, agreements, and operating policies, practices, and procedures, relating to the security requirements, access to the records and information from the system, and use of records and information from the system.

The Director of General Services shall determine the charge to be paid by any Tribe to the Department of Justice (DOJ) for connection to the system, reasonably similar to those imposed on other system subscribers.

Change to the legislation since the last CAC meeting legislation update:

Removed the provision that would add one representative from a federally recognized Indian Tribe that is a CLETS system subscriber to the existing CLETS Advisory Committee.



C A L I F O R N I A

DEPARTMENT OF JUSTICE

**CLETS Policies, Practices and Procedures (PPP)
Proposed Revisions/Updates (in green)**

December 14, 2023

Summary

The following slides are necessary additions and revisions to the CLETS Policies, Practices, and Procedures. The changes are the result of updates to the FBI's CJIS Security Policy and/or the passing of California Assembly Bill 44.

PPP 1.5.1 (A) (Management Control Agreement)

Current Text with Proposed Revisions:

- A.A signed Management Control Agreement must be received **and approved** by the CA DOJ prior to the CLETS subscribing agency permitting the non-CJ agency access to CLETS equipment or to information from the CLETS....
-

PPP 1.5.4 (Reciprocity Agreement)

Current Text with Proposed Revisions:

Any agency that agrees to perform record entry/update and/or hit confirmation functions on behalf of another agency must enter into a Reciprocity Agreement (reference Exhibit G.) The Reciprocity Agreement must be signed by the head of each agency and a copy must be submitted to the CA DOJ **for approval.**

The Reciprocity Agreement shall be updated when the head of the agency changes or immediately upon request from the CA DOJ.

Current Text with Proposed Revisions:

1. Initially (~~within six months of employment or assignment~~) (prior to accessing CJI), train, functionally test and affirm the proficiency of all terminal (equipment) operators (full access/less than full access) to ensure compliance with the CLETS/NCIC policies and regulations. This is accomplished by completing the required training and the appropriate CLETS/NCIC Telecommunications Proficiency Examination published by the CA DOJ, or a facsimile thereof. An agency wishing to make additions or modifications to the Proficiency Examination must receive prior approval from the CA DOJ.

Current Text with Proposed Revisions:

2. ~~Biennially~~ **Annually** provide functional retesting and reaffirm the proficiency of all terminal (equipment) operators (full access/less than full access) to ensure compliance with the CLETS/NCIC policies and regulations. This is accomplished by the completion of the appropriate CLETS/NCIC Telecommunications Proficiency Examination published by the CA DOJ, or a facsimile thereof. An agency wishing to make additions or modifications to the Proficiency Examination must receive prior approval from the CA DOJ.

Current Text with Proposed Revisions:

3. Maintain records of all training, testing and proficiency affirmation. Training records, written or electronic, shall identify the ~~employee's~~ **individual's** CLETS category of Full Access operator, Less Than Full Access operator, Practitioner or Administrator. The records must record the date of initial CLETS training and, for operators, the date(s) the initial and subsequent ~~biennial~~ **annual** Telecommunications Proficiency Examination were completed, recording a passing score of 70 percent or better or a pass/fail notation. The Examinations may be discarded or returned to the operator upon entry of the required information in the appropriate log. ~~An individual's CLETS training record may be deleted one year after separating from the agency.~~ **Retain individual training records for a minimum of three years.**

Current Text with Proposed Revisions:

4. Initially (~~within six months of employment or assignment~~), (prior to accessing CJI), all sworn/non-sworn practitioner personnel must receive basic training in the CLETS/NCIC policies, liability issues and regulations. Practitioner is defined as any person who has ongoing access to information from the CLETS and is not a CLETS operator.

Current Text with Proposed Revisions:

Agencies shall immediately notify the CA DOJ of security incidents or data breaches. Such incidents shall be reported ~~via e-mail to CAS@doj.ca.gov or faxed to (916) 227-0696. This information will be reported to CA DOJ on the~~ **to the 24/7 DOJ Computer Operations Team at 916-210-3500. This information shall also be reported by email to the CLETS Administration Section at CAS@doj.ca.gov via the** CLETS IT Security Incident Response Form (reference Exhibit L). Security incidents identified as system misuse shall be reported on the annual CLETS Misuse Investigation Reporting form (reference Exhibit J.) **The Incident Response Plan for your agency must include these notification requirements.**

Current Text with Proposed Revisions:

A. All persons, including non-criminal justice, volunteer personnel, private vendor technical or maintenance personnel with physical or logical access to the CLETS equipment, information from the CLETS or to criminal offender record information, are required to undergo a background security clearance to determine their suitability for logical or physical access to CLETS. This includes, at a minimum, a state and federal fingerprint-based criminal offender record information search pursuant to the California Code of Regulations, Title 11, Division 1, Chapter 7, Article 1, § 703(d) and § 707(b). Unescorted access to a law enforcement or criminal justice agency's secure environment requires submission of a state and federal fingerprint-based background security check to the CA DOJ using the law enforcement agency ORI. All other fingerprint-based employment background checks are not valid for access to CLETS (i.e., if applicable personnel are fingerprinted under a non-law enforcement agency ORI for hiring purposes, they must also undergo a state and federal fingerprint-based background security check under a law enforcement ORI to determine their suitability for logical or physical access to CLETS.)

AB 44 CLETS: tribal police Addition of CA Gov Code 15168:

15168. (a) Notwithstanding Section 15153, the system may connect and exchange traffic with the compatible systems of a tribal government, as provided in this section.

(b) A law enforcement agency or court of a tribe may apply to the Attorney General for access to the system. The Attorney General shall provide system access to any law enforcement agency or court of a tribe that has made application and that meets all of the qualifications prescribed in subdivision (c), as determined by the Attorney General. System access provided to a tribe shall be at the sole expense of that tribe.

(c) The Attorney General shall deem a tribe that has applied for system access pursuant to subdivision (b) to be qualified only if the governing body of that tribe has enacted or adopted a law, resolution, or ordinance, which shall be maintained in continuous force, that provides for all of the following:

Proposed Addition (1.01 cont.):

(1) The tribe expressly waives its right to assert its sovereign immunity from suit, regulatory or administrative action, and enforcement of any ensuing judgment or arbitral award, for any and all claims arising from any actions or omissions of the tribe, including its officers, agents, and employees, when acting within the scope of their authority and duty, arising out of, connected with, or related to, the system.

(2) The tribe expressly agrees that the substantive and procedural laws of the State of California shall govern any claim, suit, or regulatory or administration action, that the obligations, rights, and remedies shall be determined in accordance with such laws, and that the courts of the State of California or of the federal government, as applicable, shall have exclusive jurisdiction.

(3) The tribe agrees to cooperate with any inspections, audits, and investigations by the Department of Justice for improper use or compliance with the operating policies, practices, and procedures, including any sanction or discipline imposed by the department, up to and including removal of system access.

Proposed Addition (1.01 cont.):

(4) The tribe and its agencies, entities, or arms, including any officers, agents, and employees of the tribe when acting within the scope of their authority and duty, shall comply with the laws of the State of California relating to the use of records and information from the system, including, without limitation, Section 6200 and this chapter, Sections 502, 11105, 11141, 11142, 11143, and 13300 to 13304, inclusive, of the Penal Code, and Section 1808.45 of the Vehicle Code.

(5) The tribe and its agencies, entities, or arms, including any officers, agents, and employees of the tribe when acting within the scope of their authority and duty, shall comply with the Department of Justice's regulations, agreements, and operating policies, practices, and procedures, relating to the security requirements, access to the records and information from the system, and use of records and information from the system.

Proposed Addition (1.01 cont.):

(d) The intent of the Legislature in enacting this section is to grant tribes access to, and use of, criminal justice databases, and the information in those databases, in a manner similar to the access granted under federal law codified in Section 534 of Title 28 of, and Section 41107 of Title 34 of, the United States Code.

(e) The Director of General Services shall determine the charges to be paid by a tribe to the department for system access, including any initial setup charges and any ongoing charges for access. These charges shall be reasonably similar to those imposed on other system subscribers.

(f) As used in this section, the following terms are defined as follows:

(1) “Tribe” means a federally recognized Indian Tribe whose territorial boundaries lie wholly or partially within the State of California, and any agencies, entities, or arms of the tribe, as applicable, either together or separately.

(2) “Sovereign immunity” means immunity from suit or action of the tribe and its agencies, entities, or arms, including the officers, agents, and employees of the tribe when acting within the scope of their authority and duty.

Current Text with Proposed Revisions:

- A. A Class I law enforcement subscriber is defined as a public **or tribal** agency or having statutory powers of arrest and whose primary function is that of apprehension and detection. Class I users include, but are not limited to, sheriffs, city police departments, **tribal police departments**, California Highway Patrol, Department of Justice, and the Federal Bureau of Investigation.
 - B. A Class II criminal justice agency is a public agency, **tribe, or any sub-unit thereof**, performing a criminal justice function other than apprehension. Class II subscribers include agencies devoted to the administration of criminal justice with personnel whose primary purpose is detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, rehabilitation of accused persons or criminal offenders, criminal identification activities, and the collection, storage and dissemination of criminal history record information. Agencies include, but are not limited to, district attorneys, courts, **tribal courts**, probation departments, and other miscellaneous local, state and federal agencies **or sub-units thereof** performing such functions.
-

Current Text with Proposed Revisions:

A. Public Agency **or Tribe**

A Management Control Agreement is required when a public law enforcement agency, criminal justice agency, **or tribal law enforcement agency/court** (referred to as the *CLETS subscribing agency*) allows authorized access to CLETS equipment or information from the CLETS to a public **or tribal** agency that is neither a law enforcement agency nor a criminal justice agency (referred to as the *non-CJ agency*).

Current Text with Proposed Addition:

All persons who are not federal, state, or local governmental employees, who are exercising law enforcement powers as part of a Criminal Justice and/or Law Enforcement Agency, as defined in the PPP Glossary, shall meet all of the California Peace Officer Standards and Training (POST) mandated requirements to be a California peace officer, in addition to those requirements set forth in § 1.9.2 and § 1.9.3. Such law enforcement officers shall also be deputized by a federal, state or local law enforcement agency and provide copies of the relevant deputization agreements at the time of application for CLETS access to the CA DOJ systems.

Tribal law enforcement agencies shall submit applicable law enforcement certifications and/or deputization agreements at the time of application for CLETS access to the CA DOJ Systems.

Proposed Addition:

Tribe: a federally recognized Indian Tribe whose territorial boundaries lie wholly or partially within the State of California, and any agencies, entities, or arms of the tribe, as applicable, either together or separately.

Current Text with Proposed Revisions/Additions:

Section 3.1: Is the applicant a public agency or federally recognized Tribe?

- Yes
- No

Section 3.2: Identify which level:

- Federal
- State
- Local
- Tribe

Section 3.7: If the applicant is a federally recognized tribe, is documentation related to California Government Code 15168 subsection (c)(1)-(5) attached?

- Yes
 - No
 - N/A
-

Current Text with Proposed Revisions/Additions:

Section 3.8: If the applicant is a federally recognized tribe, is documentation related to the establishment and administration of a law enforcement agency or court attached?

- Yes
- No
- N/A

Section 4.4: How many sworn personnel does your agency/unit employ? _____

(Attach copies of POST certifications, **if required**)



C A L I F O R N I A

DEPARTMENT OF JUSTICE

**CLETS Policies, Practices and Procedures (PPP)
Proposed Revisions/Updates**

December 14, 2023

California ASAP to PSAP Status Update

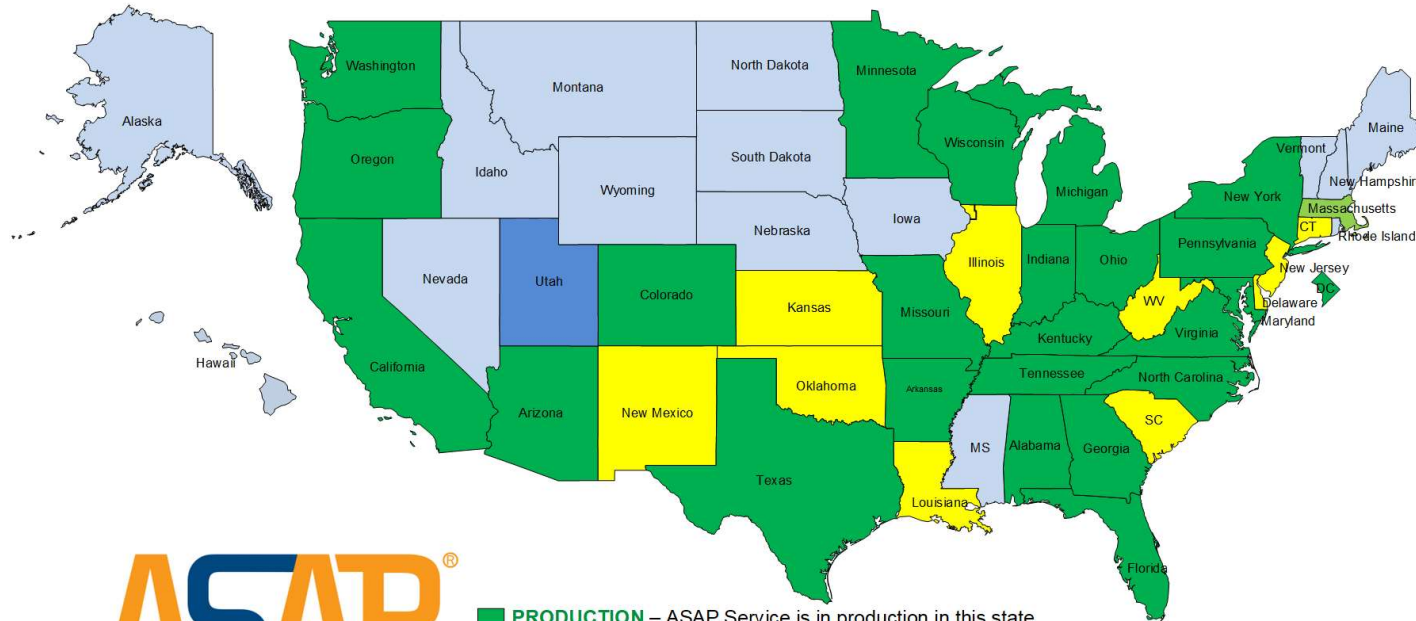
What is the ASAP Service?

- The ***ASAP to the PSAP Service*** is a system designed to deliver notifications of commercially monitored alarms to PSAP/ECC CAD Systems electronically
 - ***Eliminates the Alarm Phone Call!***



-
- The Monitoring Association (TMA) – TMA is the industry trade association that represent the monitoring center’s interests and positions
 - TMA owns and operates the ASAP to PSAP Service on a revenue neutral basis
 - For more information: <http://tma.us>

ASAP-to-PSAP Service – State Readiness



- **PRODUCTION** – ASAP Service is in production in this state
- **READY** – State system has been configured to support ASAP / currently, no PSAP ready
- **IN PROCESS** – State system in being configured to support ASAP. May/may not have PSAP ready
- **CAPABLE** – State system identified as being easily configured to support ASAP service
- **NO INFORMATION** – No contact with state officials. Unsure if State system can/will support ASAP Service.
- **State has decided not to implement**

PSAP/ECC Participation

- There are now 138 PSAPs/ECCs in 21 States plus DC
- There is a pipeline of over 100 PSAPs in various stages of implementation
 - From budgeting to implementation

Progress In California

- Our next PSAP/ECCs will be
 - Irvine PD
- Others that have immediate interest
 - Oakland PD – In the midst of internal discussions to fund
 - Orange County Sheriff – Have modified their OCATS message switch - testing January
 - City and County of San Francisco
- Many agencies that were interested in the past five years, gave up and reallocated funds to other projects
 - Now they are restarting the process. This is typically an 18 to 36 month cycle

Documentation for County MSCs

- We prepared a document oriented towards the county message switch providers
 - We provided this document to Orange County Sheriff
 - They provided to their switch provider
- We will begin testing with them in January
- This will allow Irvine PD to come online
 - OCSD is exploring with their CAD provider as well

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TRANSCRIPTION OF RECORDED MEETING
OF
CLETS ADVISORY COMMITTEE MEETING

DECEMBER 14, 2023

ELK GROVE, CALIFORNIA

Members Present:

KORY HONEA, California State Sheriff's Association
ANDREW WHITE, California Police Chief's Association
DONALD O'KEEFE, Office of Emergency Services
VERONICA GILLIARD, Department of Justice
APRIL BAXTER, California Highway Patrol
GREG PARK, League of California Cities

Transcribed by: Kim Visee,
Foothill Transcription Company
December 23, 2023
Elk Grove, California

--o0o--

1 **Chief O'Keefe:** Call the meeting to order. We'll
2 call the meeting to order here. Good morning, everybody.
3 As vice chair, I'd like to call the meeting to order and
4 I appreciate everyone making the drive and attending.
5 Chris Blair, please take the roll call.

6 **Mr. Blair:** Thank you. Sheriff Honea?

7 **Sheriff Honea:** Present.

8 **Mr. Blair:** Chief White?

9 **Chief White:** Present.

10 **Mr. Blair:** Chief Hillman? Chief O'Keefe?

11 **Chief O'Keefe:** Present.

12 **Mr. Blair:** Chief Gilliard?

13 **Chief Gilliard:** Present.

14 **Mr. Blair:** Chief Baxter?

15 **Chief Baxter:** Present.

16 **Mr. Blair:** Greg Park?

17 **Mr. Park:** Present.

18 **Mr. Blair:** Chief Michel? Chief Bonini? Okay. We
19 have a quorum.

20 **Chief O'Keefe:** Okay. Thank you. Next on the
21 agenda is housekeeping.

22 Restrooms are located in the lobby. When coming
23 into the lobby from the main entrance, go straight back
24 --- straight to the back, men to the left and women to
25 the right.

1 I would like to ask that all members identify
2 themselves before speaking or making a motion or second
3 for the transcript.

4 Also, for the audience members that would like to
5 make a comment, please use the microphone. And with
6 that, let's see.

7 Next on the agenda is the approval of minutes from
8 the June 27th, 2023 CLETS meeting. Let's see.
9 .

10 **Chief O'Keefe:** Okay. After public comment, if any
11 -- do we have a motion, a second? Chris, take an initial
12 roll call for this item.

13 **Mr. Blair:** First, we should ask if there's any
14 public comment.

15 **Chief O'Keefe:** Or, I'm sorry, yes, is there any
16 public comment? Okay. Hearing none, we can proceed.

17 **Mr. Park:** I move approval of the minutes.

18 **Chief O'Keefe:** Okay. Do we have a second?

19 **Sheriff Honea:** Honea, second.

20 **Chief O'Keefe:** Okay. Chris, will you take roll
21 call now?

22 **Mr. Blair:** Roll call. Sheriff Honea?

23 **Sheriff Honea:** Approved.

24 **Mr. Blair:** Chief White?

25 **Chief White:** Approved.

1 **Mr. Blair:** Chief O'Keefe?

2 **Chief O'Keefe:** Approved.

3 **Mr. Blair:** Chief Gilliard?

4 **Chief Gilliard:** Approved.

5 **Mr. Blair:** Chief Baxter?

6 **Chief Baxter:** Approved.

7 **Mr. Blair:** Greg Park?

8 **Mr. Park:** Approved.

9 **Mr. Blair:** Okay. Motion passes.

10 **Chief O'Keefe:** Okay. Motion passes. Next on the
11 agenda, Chairman's Report. The chair position is still
12 vacant on the committee, therefore, as vice chair, I will
13 be chairing today's meeting. Nominating a new chair will
14 occur at a future meeting.

15 For the Chairperson's report, we have a few new
16 member introductions on the agenda. Chief Veronica
17 Gilliard. I'm sorry, did I say that correctly?

18 **Chief Gilliard:** Gilliard.

19 **Chief O'Keefe:** Gilliard. Sorry. Representing
20 Department of Justice. Chris, please read the Chief's
21 file.

22 **Mr. Blair:** Thank you.

23 Chief Veronica Gilliard is a 34-year veteran with
24 the State of California and has over 30 years of
25 technology management experience. She started her state

1 career in 1988 with the California Public Employee's
2 Retirement System, rising from a key data operator to
3 operations and is now the Chief/CIO at the California
4 Department of Justice.

5 She most recently served as the Deputy Director to
6 the CDT's Data Center Platform Services, one of the
7 largest data centers in the world. In this role, she
8 oversaw an annual budget of \$85 million, led a team of
9 200-plus employees, and served over 188 governmental
10 agency customers. Veronica brings extensive experience in
11 overseeing all aspects of information technology,
12 including infrastructure, network, application, and
13 client services.

14 Veronica has been directly involved in many of
15 California's significant technology initiatives, such as
16 relocating the Los Angeles City Data Center into a State
17 supported environment. In 2022, Veronica was named as
18 one of the Top 25 Doers, Dreamers, and Drivers by Gov
19 Tech Magazine. She has led many efforts while at CDT to
20 modernize, while building a customer centric digital
21 services culture within the State's technology
22 environment. She brings a wealth of data center
23 knowledge and is committed to driving innovation and
24 continuing to modernize DOJ systems with emerging
25 technologies.

1 **Chief O'Keefe:** Thank you, Chris. Please everyone,
2 join me in welcoming the Chief to the community.

3 **Mr. Park:** Welcome.

4 **Chief O'Keefe:** Before moving to the next item, is
5 there any public comment? Seeing no hands and hearing
6 none, let's move on.

7 The Executive Secretary's Report, Chris.

8 **Mr. Blair:** Thank you. I will now go over the
9 Executive Secretary's Report, and we have a PowerPoint
10 slideshow for this. We will be going over CLETS traffic,
11 misuse statistics, and action items from the prior
12 meeting.

13 These are the traffic statistics for the third
14 quarter of 2023. Total messages were approximately 256
15 million messages for the quarter for inbound and 257
16 million outbound. The monthly average was approximately
17 85 million. The daily average was almost 2.8 million
18 messages and the peak day was approximately 3.4 million
19 messages.

20 This slide is regarding agencies consistently
21 falling below 95 percent uptime. So, these agencies had
22 issues with their connections to DOJ.

23 For Santa Barbara County Sheriff's Office, one of
24 their connections to CLETS averaged 80 percent uptime.
25 No other agencies connect through this connection and the

1 agency has a secondary connection that they use that
2 averaged 100 percent uptime.

3 The Lassen County Sheriff has been experiencing
4 periodic downtime as they work out some issues with their
5 vendor. This is a relatively new secondary connection
6 for the Lassen County Sheriff, and the agency does not
7 host any downstream agencies. Therefore, they are the
8 only agency experiencing the issues.

9 The Orange County Sheriff's Office connection was
10 disconnected from October 22nd to November 2nd, due to a
11 downstream agency experiencing a cyber incident. They
12 have averaged an uptime of 99.99 percent otherwise.

13 These are the CLETS misuse statistics. Agencies
14 shall submit a report to the DOJ on the number of
15 investigations performed related to CLETS misuse each
16 year. In 2022, we had 1681 agencies or ORIs submitting a
17 report, 0 without or not reporting, 1625 reporting no
18 misuse, and 56 reporting CLETS misuse.

19 In 2022, there were 167 investigations performed.
20 There are 12 pending investigations. Seventy-nine of
21 those investigations found no CLETS misuse. Of the
22 misuse violations found, there were 83 violations found.
23 Twenty-six resulted in a counseling. Ten resulted in a
24 reprimand. Forty-five resulted in training. Ten
25 resulted in suspension. Seven resigned. Nine were

1 terminated. Of the two "others," one is still pending
2 administrative action and the other was released during
3 their probationary period.

4 And these are the CLETS journal search misuse
5 statistics. This is when the agencies will reach out to
6 the DOJ to request assistance from the DOJ in conducting
7 a journal search to help them with their misuse
8 investigation.

9 In 2022, there were 44 requests related to CLETS
10 misuse. One investigation is still pending. Forty-two
11 of those resulted in no CLETS misuse found. The one
12 misuse violation found resulted in training and
13 suspension.

14 And in 2023, there have been 37 requests related to
15 misuse. Seventeen are still pending. Eighteen were
16 found with no misuse. Two violations were found and of
17 those two violations, administrative actions are still
18 pending.

19 Now we go to the action items from the last meeting.
20 The action item was to coordinate with the DOJ network
21 services group to provide information regarding the
22 November 18th, 2022, CLETS outage. Action taken: At the
23 June 27th, 2023 CAC meeting, Maria Cranston read an email
24 from Max Lindroth, manager over the DOJ NSG, regarding
25 the November 2022 outage and provided the contact

1 information for Max. Maria instructed those that had
2 follow-up questions regarding the outage to reach out to
3 Max directly.

4 On October 30th, the CLETS Administration Section
5 followed up with Max, and Max indicated that he did not -
6 - he had not received any follow-up inquiries related to
7 the matter and that he had no further updates to provide.
8 Thank you.

9 **Chief O'Keefe:** Okay. Do we have any public
10 comment? Seeing and hearing none let's move on.

11 **Mr. Park:** I've got a question for -- real quick.

12 **Chief O'Keefe:** Yes. Question.

13 **Mr. Park:** Can we go back to the outage in Orange
14 County?

15 **Mr. Blair:** Yes.

16 **Mr. Park:** And you said that was related to a cyber
17 incident?

18 **Mr. Blair:** Yes.

19 **Mr. Park:** So, one cyber incident in Orange County?

20 **Mr. Blair:** Yes.

21 **Mr. Park:** At an agency, downstream from the
22 sheriff.

23 **Mr. Blair:** Correct.

24 **Mr. Park:** And the sheriff disconnected the
25 connection to DOJ?

1 **Mr. Blair:** Yes.

2 **Mr. Park:** For the entire county?

3 **Mr. Blair:** Yes.

4 **Mr. Park:** Interesting. Okay. And that was down
5 how long? Do we recall?

6 **Mr. Blair:** From October 22nd until November 2nd, I
7 believe. Let me double check.

8 **Mr. Park:** So, during that time period, no agencies
9 in Orange County had any access to CLETS data?

10 **Mr. Blair:** No agencies that connected behind the
11 sheriff's office.

12 **Mr. Park:** Okay. And do we know how many agencies
13 that affected?

14 **Mr. Blair:** I do not have the numbers, no.

15 **Mr. Park:** Okay. Interesting. From our last
16 meeting to now, Homeland Security conducted a tabletop
17 exercise with Alameda County agencies on a cyber
18 incident, where we introduced a conversation about what
19 would happen if the entire county was disconnected during
20 the tabletop exercise. It rose a number of questions.

21 So, I think at a future meeting perhaps, it would be
22 good for us to hear from DOJ on, you know, how do we plan
23 for an outage that could affect an entire county,
24 especially those agencies who are part of the cyber
25 incident. What disaster-recovering plans or cyber

1 incident operations are available to us?

2 Alameda County hosts a tabletop exercise and has
3 reached out to DOJ to do a presentation for us about
4 LEAWeb. A number of agencies in Alameda County think
5 LEAWeb could be a good alternative for disaster recovery
6 during a cyber incident.

7 And so, we've extended an invitation and I hope
8 they're able to make our January 24th meeting to learn
9 more about what LEAWeb can offer us.

10 So, thank you for those additional details.

11 **Mr. Blair:** Thank you.

12 **Chief O'Keefe:** Thank you. Any other comments from
13 the board? Okay. Hearing none, let's move onto the next
14 agenda item, Update on Standing Strategic Planning
15 Subcommittee. The Standing Strategic Planning
16 Subcommittee, also known as SSPS, was convened and was
17 held -- and has held a few meetings. Ashish -- I cannot
18 pronounce his last name.

19 **Mr. Blair:** Ashish Kakkad.

20 **Chief O'Keefe:** Ashish Kakkad, Chair of the SSPS
21 provided a written update to the committee. Chris,
22 please read that update to us.

23 **Mr. Blair:** Thank you. SSPS discussed the CLETS
24 application process modernization effort and the DOJ team
25 shared that there is an active effort under consideration

1 to streamline the application process. SSPS member Joey
2 Williams updated the committee on the current
3 capabilities of NG911 infrastructure.

4 Based on the input from Cal OES, even though the
5 infrastructure is extremely robust, since the primary
6 objective of an NG911 infrastructure is to deliver 911
7 services, there may be regulatory and technical
8 limitations that do not clearly align with the delivery
9 of CLETS/CJIS information. However, the infrastructure
10 is a perfect example of modernization of complex mission
11 critical infrastructure and provides a template to
12 consider for modernization of the CLETS infrastructure.

13 SSPS also discussed incorporating CJIS security
14 policy training/info sessions led by the CLETS
15 Administration Section. With the significant turnover at
16 the agencies, as well as rapidly changing technical
17 capabilities, SSPS identified a significant knowledge gap
18 at the local level. The committee discussed and agreed
19 that having regular training/info sessions led by CLETS
20 would be -- would allow the agencies to be well informed
21 on not only the CJIS policy impact, but also enable them
22 to make informed decisions.

23 **Chief O'Keefe:** Thank you, Chris. Does the
24 committee have any questions or comments? Seeing and
25 hearing none, is there any public comment on the matter?

1 Okay. Seeing and hearing none, let's move onto the next
2 update.

3 Automated Secure Alarm Protocol, ASAP to Public
4 Safety Answering Point, PSAP. Bob Turner, please come up
5 and present regarding ASAP and PSAP. Thank you.

6 **Mr. Turner:** ASAP to the PSAP, sir.

7 **Chief O'Keefe:** ASAP to PSAP.

8 **Mr. Turner:** I have a -- I just want (inaudible).
9 Let me just put my glasses on here in a minute because
10 I'm blind as a bat otherwise.

11 Okay. Good morning, everyone. Appreciate the
12 opportunity to speak again. I, quite frankly, was very
13 pleasantly surprised when I was asked to come back and do
14 a status report. So, thank you very much for the
15 opportunity. I appreciate it.

16 I'm Bob Turner. I am one of the leaders and
17 followers of ASAP to PSAP. And this is going to be kind
18 of a short update because to a great extent, many of the
19 agencies in California were caught off guard that Cal DOJ
20 and your board had approved really moving forward with
21 this, but we do have some traction. I think it's really
22 important.

23 So, for those who didn't see my presentation in
24 June, ASAP to PSAP service is a system that's designed to
25 deliver electronic notifications of commercially-

1 monitored alarms directly to PSAP CAD. This is important
2 because it reduces the alarm phone call that comes into
3 dispatch centers.

4 Having been a dispatcher many, many, many years ago,
5 alarm calls were always a difficult thing to deal with
6 because they were very much transcriptions of information
7 from one computer system to another. And certainly,
8 right now with the staffing issues that we have in all
9 dispatch centers across the country, anything that we can
10 do to reduce the workload on the frontline call-takers is
11 a bonus and an improvement for a dispatch center.

12 And that's really what ASAP does. We are now moving
13 away from actually having them transcribe and reenter the
14 same information that is in the alarm company's computer.
15 Instead, the alarm company computer talks to the dispatch
16 computer and creates the call for service directly in
17 there with very specific rules on how those are created.

18 Some background, the Monitoring Association, LLC, is
19 who owns this. And they are a not-for-profit trade
20 association that represents the Monitoring Association.
21 They operate the ASAP to PSAP service on a revenue-
22 neutral basis. We can't say non-profit because they take
23 money and reinvest it back into the service. And they
24 are the ones who are also the responsible party to Nlets
25 and the strategic partner organization with the Nlets

1 group.

2 Right now, this is updated, I believe, as of August.
3 It shows all the states that we have. And I'm proud to
4 say now we have California in green. That really
5 represents how we have moved across the country over the
6 last decade. And I hope, before I retire, we will have
7 the entire country in green. But the good news is that
8 we've made tremendous progress in the last three years
9 and really moved it forward.

10 Because right now, we estimate that we have 30
11 million alarm systems that are currently monitored by
12 alarm companies that are connected to ASAP. And this
13 means, basically, anything from burglar and panic, all
14 the way down to fire and medical alarms. Not everyone
15 handles all that traffic, but certainly as we've added
16 the PSAPs in, that's been growing.

17 Right now, we're at 138 PSAPs from very large to
18 very small. We have large cities like Atlanta,
19 Washington D.C. I can't remember all of them that we
20 have. So, we're really moving into the very large cities
21 right now because they are very interested in doing it
22 because they are the ones at the forefront of the
23 staffing problems.

24 Right now, we have over 100 PSAPs in the pipeline,
25 mostly in various states of obtaining funding or

1 obtaining state approval, the state approval becoming
2 less of a problem as you can see from my graph.

3 So, in California, our progress is a little bit
4 slower since this summer, because, as I alluded to at the
5 beginning, many of the agencies were caught off guard. I
6 have had conversations with them over the previous five
7 or six years and said, "Well, we're working on it. We're
8 trying to make progress and make that happen."

9 And many of them allocated money. When they
10 couldn't move forward, they took the money and used it
11 elsewhere. So, we're back into the cycle where they have
12 to allocate money to add this to their CAD systems and
13 the like and we'll talk about that a little bit more.

14 The next one that we definitely have is Irvine PD.
15 They have money allocated. They have been in the process
16 over the last four years of implementing a new Motorola
17 CAD, which has been in production for probably two years.
18 They will be our next one. They are in the throes of
19 things.

20 One of the big things that has gone with that, I'll
21 just go down to Orange County Sheriff. We had a call
22 with them, I believe, it was in early October where we
23 outlined what they would need to go to the OCAD
24 (phonetic) switch. This was a few weeks before the cyber
25 incident. And we provided -- CommSys provided

1 documentation for them to modify the switch, which they
2 had done. We'll be testing with them in January. And
3 so, as Orange County Sheriff has indicated, they'd like
4 to bring their dispatch up on ASAP as well, although they
5 have to have some discussions with their CAD vendor.

6 The next biggest one that is really in the midst of
7 doing it is Oakland PD. I did a presentation at the end
8 of October in front of their public safety commission.
9 They are very interested in moving forward. They are,
10 right now, in the process of -- there's been money
11 allocated for improvements in the CAD and dispatch
12 environment. They need to get a piece of it for ASAP.
13 But I believe they'll be the next ones to go forward.

14 I had a conversation with Mr. Farmer on email this
15 week and I said, "What can I say? We're interested.
16 We're just trying to find -- to get the money allocated.
17 But I think we'll be successful."

18 So, if that happens, we'll work with Alameda County
19 to go ahead and have them modify their county message
20 switch as well. Given that I have business relationships
21 with Alameda County through one of my RMS partners, I
22 don't believe that will be very difficult, and I have
23 documents for them to use.

24 The other big one that's very important is the City
25 and County of San Francisco's dispatch center. They were

1 really the original agency within California that wanted
2 to move forward with ASAP. And they have been the ones
3 that have been pushing us over the last seven or eight
4 years.

5 Ultimately, by the time we were ready to have them
6 implement it, they had made the decision to change CAD
7 systems. They're currently in contract negotiations with
8 their new vendor. I do know who that is, but I don't
9 feel comfortable revealing that. And that vendor does
10 have an ASAP interface. So, their expectation is, over
11 the next two years, as they implement, they will go live
12 and that's -- we've already been told that will happen.

13 So we're making some progress. I think we had 18
14 agencies throughout the state that had expressed interest
15 in becoming an ASAP. We've been reaching out to them to
16 let them know that it's available now, to which we're
17 getting a lot of, "Wow, we never thought it was going to
18 happen and it has." So, they're now processing.

19 Unfortunately, in most agencies, for them to make
20 modifications to their IT environment, it's typically an
21 18-to-36-month process because of budgetary issues and
22 process issues and technology issues that go with that.
23 So, unfortunately, we are restarting the process and
24 we're going to be at the beginning for a lot of the
25 agencies that were interested, having to start there.

1 We also have to deal with the fact that there are
2 some CAD members in the state, certainly on the smaller
3 side, that don't have a certified interface. We do
4 require that the CAD vendors certify their CAD system so
5 that it works. When you're dealing with two different
6 cultures - the alarm industry and the public safety
7 dispatch -- you've got to make sure that everybody's
8 system works exactly the same way because you have people
9 working on both ends of it that need to make sure that
10 they have confidence that both systems will behave
11 exactly the same way.

12 So, one of the things that we do have is a document
13 that we have prepared to provide to the county message
14 switch providers. As I said, Orange County was the first
15 one that we did. And Computer Deductions, who's their
16 vendor, had no problem. They understood exactly what our
17 document told them and it really only took them about a
18 month and a half to do the implementation, which I would
19 expect for most of these.

20 And so, they're ready to go and we will be testing
21 with them in January. I expect that we will probably
22 have Irvine up sometime towards the end of first quarter
23 or early second quarter, would be my guess.

24 As a result of this, OCSD had never really heard of
25 ASAP and in the conversations, they grabbed their own

1 dispatch people into the conversation and they said,
2 "Yeah, we'd like to get in on this as well."

3 My expectation is, once we have Irvine up and we're
4 operating, OCSD will probably be the next one that comes
5 on board as well. I know they're having some discussions
6 with their CAD provider as well.

7 That's my status update in terms of where we are
8 with the state. I don't know if you have any questions
9 and anything I can answer for you, I'd be happy to talk
10 about.

11 **Chief O'Keefe:** Thank you, Bob. Does the committee
12 have any questions or comments?

13 **Mr. Park:** I just want to express my thanks for your
14 work on this project. I know that the comm centers are
15 more and more difficult to staff these days. And so, any
16 sort of relief that we can provide our call-takers or 911
17 emergency operators -- a little bit of relief is going to
18 go a long way. So, thank you for your work on this
19 project.

20 **Mr. Turner:** Thank you, Greg. I appreciate it.

21 One thing I do want to say is working with the
22 technical staff at Cal DOJ, as we were actually
23 implementing this, was probably one of my most pleasant
24 experiences from a state level.

25 The quality of the technical folks within that

1 group, their awareness of what we were trying to do, the
2 interexchange of what we had in terms of past experience
3 in other states, as well as their technical sharpness,
4 was impressive to me. It was why, in the end, continuing
5 to work forward in trying to get the necessary approvals
6 I thought was very important. Because at this point, I'm
7 very confident that as we start to move through the state
8 with more implementations, DOJ will be one of our best
9 partners to work with of any state.

10 So, thank you very much, everyone.

11 **Chief O'Keefe:** Thank you. Any further comments?

12 **Chief White:** Yes. I would just ask that if there's
13 some way that through the CLETS section to notify
14 agencies? I know before, the way it was presented to the
15 advisory committee was that it was on a trial basis with
16 the first agency to make sure everything worked. It
17 sounds like everything is working along. And I think
18 it's important to make sure that no agency is left out
19 not knowing.

20 Obviously, it will be a long timeframe to implement.
21 But just to get the word out. And I'll certainly get it
22 out through the association I'm affiliated with. Thank
23 you.

24 **Chief O'Keefe:** Thank you, Chief. Any public
25 comment? Okay. Seeing and hearing none, let's move onto

1 the DOJ Legislative Update.

2 John? John Ponce will be providing a legislative
3 report.

4 **Mr. Ponce:** Good morning, committee members. My
5 name is John Ponce. I'm from the California Justice
6 Information Services Division of the Department of
7 Justice. Thank you again for the opportunity to provide
8 you with an update on relevant legislation.

9 I only have an update on one bill, and that's
10 Assembly Bill 44 by Assembly Member Ramos. It passed the
11 Legislature and was signed by the Governor. Assembly
12 Bill 44 requires DOJ to grant CLETS access to any tribal
13 law enforcement agency and tribal court that applies for
14 access and meets certain qualifications.

15 The chaptered bill had two main changes from the
16 last CLETS Advisory Committee Meeting. Namely, the
17 chapter bill removed the provision that would add one
18 representative from a federally recognized tribal Indian
19 tribe from a CLETS system subscriber to the existing
20 CLETS Advisory Committee. And also, it added a
21 requirement for the tribes applying for CLETS access to
22 comply with DOJ's regulations, agreements, and operating
23 policies, practices, and procedures relating to security
24 requirements, access to the records and information from
25 the system, and use of records and information from the

1 system.

2 And that's all the update that I have. And I
3 welcome any questions.

4 **Chief O'Keefe:** Thank you, John. Does the committee
5 have any questions or comments?

6 **Mr. Park:** Thank you for that update, sir. As we
7 move forward, we continue to see the Legislature have an
8 interest in the radio systems and public safety operation
9 encryption associated with that. Most of our agencies
10 have adopted encryption based on requirements and
11 requests from DOJ to protect the PII that potentially
12 transmits back and forth.

13 If the Legislature continues to have interest in
14 asking us to either unencrypt or provide additional
15 mechanisms, if you could keep track of those and let us
16 know how that moves at future meetings, that'd be very
17 much appreciated.

18 **Mr. Ponce:** I will do it. Thank you.

19 **Mr. Park:** Thank you.

20 **Chief O'Keefe:** Thank you. Is there any public
21 comment? Okay. Thank you very much.

22 **Mr. Ponce:** Thank you, committee members.

23 **Chief O'Keefe:** Okay. Next on the agenda is going
24 to be a vote. Policies, Practice, Procedures, the PPP.
25 And, Chris, I'll turn this over to you for proposed

1 changes.

2 **Mr. Blair:** Thank you. And we have another
3 PowerPoint to go over some of the proposed changes to the
4 PPPs. Thank you, Lydia.

5 The proposed changes will be in green text. And the
6 summary of the following slides, these are necessary
7 additions and revisions to the CLETS policies, practices,
8 and procedures. The changes are the result of updates to
9 the FBI's CJIS Security Policy and/or the passing of
10 California Assembly Bill 44.

11 This is actually not related to AB 44 or security
12 policies. This is a minor edit regarding management
13 control agreements, and the DOJ already reviews and
14 approves such agreements. However, we believe this
15 should be added to the PPPs to be consistent with other
16 agreements.

17 This addition clarifies that management control
18 agreements must be received and approved by the
19 California DOJ prior to the agency permitting access to
20 the entity there in a prudent way.

21 **Chief White:** I have a question regarding that one.

22 **Mr. Blair:** Yes?

23 **Chief White:** Is there any perceived impact in terms
24 of like a backlog, or has that been how it's basically
25 been operating?

1 **Mr. Blair:** It's basically been operating like that
2 already. We're just -- we felt that it needed to be
3 added to the PPPs.

4 **Chief White:** Thank you.

5 **Mr. Blair:** Same thing for this slide. So, this is
6 related to PPP section 1.5.4 or reciprocity agreements.
7 This is another agreement that we believe should be
8 submitted to the DOJ for approval. Same idea as the
9 management control agreements.

10 The PPP section 1.8.2, subsection A1, database
11 training. We are editing this section to add or revise
12 the language to say that training must occur prior to
13 accessing CJI, whereas prior it was within six months of
14 employment or assignment. This is due to a change with
15 the FBI's CJIS Security Policy section 5.2, awareness and
16 training, subsection AT-2. So, training must now occur
17 prior to accessing CJI, rather than within six months.

18 This slide follows that, also section 1.8.2,
19 subsection A2, this is a change to be consistent with
20 updates to the FBI's CJIS Security Policy section 5.2,
21 subsection AT-2. Training must now occur annually rather
22 than bi-annually.

23 This is also a change to 1.8.2, subsection A3.
24 Change to be consistent with updates to the CJIS Security
25 Policy section 5.2, subsection AT-4. We are replacing

1 the word "employees" with "individuals" because it's not
2 always employees that will have access to information.
3 We're replacing bi-annual with annual for the training
4 requirements.

5 And we are replacing the sentence, "An individual's
6 CLETS training record may be deleted one year after
7 separating from the agency" with "Retain individual
8 training records for a minimum of three years." This
9 follows the FBI's CJIS Security Policies where they state
10 that agencies shall retain individual training records
11 for a minimum of three years. Prior versions indicated
12 that training records may be deleted after one year after
13 separating from the agency.

14 This follows that last slide. Training must occur
15 prior to accessing for all personnel. This follows the
16 updates to the CJIS Security Policy, section 5.2,
17 subsection AT-2.

18 This slide, PPP section 1.9.1, information
19 technologies security incident response reporting, we're
20 replacing -- we're adding language to include a
21 notification to the DOJ's computer operations unit, which
22 is a 24-hour unit. And this practice already occurs, but
23 it's not in the PPPs, so agencies are able to reach out
24 to the operations unit and let them know if they're
25 experiencing an incident.

1 So, in addition to completing the IT security
2 incident response form and sending it to the CLETS
3 Administration Section, we are including language to
4 contact the DOJ's computer operations unit.

5 CAS believes that this practice should be required
6 and included in the PPPs even though it's already
7 considered a current practice. Additionally, we are
8 indicating that the Incident Response Plan for the agency
9 must include these notification requirements.

10 Section 1.9.2A of the PPP is background and
11 fingerprint based criminal offender record information
12 searches. We are adding a clarification section to the
13 end of this because there has been some confusion in the
14 past on section 1.9.2A regarding fingerprint background
15 checks for individuals with access to CLETS.

16 Individuals are required to undergo background
17 security clearance to determine their suitability for
18 logical or physical access to CLETS. This includes, at a
19 minimum, a state and federal fingerprint based criminal
20 offender record information check using the law
21 enforcement agency's ORI. This language is being added
22 to the section to provide additional clarification on
23 these requirements.

24 So, we are adding, "If applicable personnel are
25 fingerprinted under a non-law enforcement agency ORI for

1 hiring purposes, they must also undergo a state and
2 federal fingerprint-based background security check under
3 a law enforcement ORI to determine their suitability for
4 logical and physical access to CLETS."

5 And now we are coming to the section regarding AB
6 44, CLETS and tribal police. Code section 15168 is the
7 new section of the Government Code related to AB 44 and
8 tribal law enforcement/court CLETS access that is being
9 added to PPP section 1.01, legislative intent and law.

10 And in the interest of time, I'll refer those
11 interested in reading the Government Code to the
12 PowerPoint slides 11 through 14 previously posted on the
13 meeting notice.

14 So, PPP sections 1.3.1 A and B are referring to
15 eligibility for CLETS service. These are revisions that
16 facilitate the ability for tribal law enforcement
17 agencies and courts to be eligible for CLETS access.
18 Eligible tribal police departments will be considered
19 Class 1 law enforcement agencies and eligible tribal
20 courts will be considered Class 2 criminal justice
21 agencies.

22 Additionally, we are adding the sub-unit language to
23 section 131B to further clarify the eligible sub-units of
24 public agencies that perform a criminal justice function
25 other than apprehension may be eligible for CLETS access.

1 This is not directly related to AB 44 legislation, rather
2 it is providing further clarification for Class 2 agency
3 eligibility.

4 And back to PPP section 1.5.1, we are adding
5 language to the management control agreement section to
6 include tribal law enforcement agencies and courts.

7 Per PPP section 1.9.4, non-federal, non-state and
8 non-local governmental employees, this language is being
9 added to section 194 to indicate that tribal law
10 enforcement agencies shall submit applicable law
11 enforcement certifications and/or deputization agreements
12 at the time of application for CLETS access to the
13 California DOJ systems.

14 The certifications and/or deputization agreements
15 that tribes can submit related to their law enforcement
16 users may differ between tribes. And the CLETS
17 Administration Section or DOJ will work with each tribe
18 to determine whether the submitted information
19 establishes its law enforcement users have law
20 enforcement powers.

21 This is an addition to the glossary section of the
22 PPPs, the definition of "tribe" that will be added to the
23 glossary included in Gov Code 15168. "A tribe is a
24 federally recognized Indian tribe whose territorial
25 boundaries lie wholly or partially within the State of

1 California and any agencies, entities, or arms of the
2 tribe, as applicable, either together or separately.”

3 And this slide is related to the CLETS application
4 for CLETS service. We are adding language to section 3.1
5 to include federally recognized tribes. Adding a tribe
6 option as the level of agency to section 3.2. Adding
7 section 3.7 to require the tribe submit the necessary
8 paperwork according to Government Code 15168, subsection
9 C, 1 through 5, regarding the resolutions that the tribe
10 adopted to meet the Government Code. Adding section 3.8
11 so that tribes submit the necessary paperwork related to
12 the establishment and administration of a law enforcement
13 agency or court. And adding, “if required,” to section
14 4.4 because post certifications may not be applicable.

15 Thank you.

16 **Chief O’Keefe:** Okay. Thank you, Chris. Does the
17 committee have any comments, any questions?

18 **Chief White:** I had a question.

19 **Chief O’Keefe:** Yes.

20 **Chief White:** We talked -- I brought up several
21 times previously about adding, when we amended PPPs, a
22 requirement that if an operator was found to have misused
23 the system, that there was a requirement in the policies
24 that they had to retrain. And I noticed we’re
25 addressing, making training happen right up front. It

1 would seem logical to follow that we should add that in.

2 So, I just renew my request for that. I understand
3 these are probably time sensitive, so I don't want to
4 hold this up. But --

5 **Mr. Blair:** Retraining if misuse was found?

6 **Chief White:** Yes, if an operator was found to have
7 misused the system, in the reporting that's required,
8 that there would be a requirement that they have to go
9 through retraining. Basically, to read like the annual
10 recertification.

11 But clearly, if they're misusing it, they at least
12 need some retraining aside from whatever discipline may
13 or may not result.

14 **Mr. Blair:** Thank you. Yeah. We will take that
15 into consideration.

16 **Mr. Park:** Mr. Secretary, a very comprehensive
17 report. Excellent changes and additions.

18 Has CAC's staff had any indication how many tribal
19 entities will be applying for access, and do you have
20 adequate staffing to manage that influx?

21 **Mr. Blair:** We are aware that there are 109
22 federally recognized tribes. However, we're not sure how
23 many of those tribes meet the requirements in 15168 C-1
24 through 5. And it's unclear, at this point, how many
25 applications we will receive beginning January 1. And we

1 have requested funding to receive additional positions
2 for this legislation.

3 **Mr. Park:** Excellent. Good to know. Chief
4 Gilliard, if there's anything our associations can do to
5 assist you in your outreach to the Legislature to support
6 that funding, please let us know so that we can make sure
7 your staff is successful in implementing this new
8 opportunity. Thank you.

9 **Chief Gilliard:** Thank you.

10 **Chief O'Keefe:** Thank you. No further comments.

11 Any public comment on this issue?

12 **Ms. Alther:** I have a comment.

13 **Chief O'Keefe:** Yes, please state your name.

14 **Ms. Alther:** Should I go up to the --

15 **Chief O'Keefe:** Yeah. Come on up. Yes. Thank you.

16 **Ms. Alther:** I'll be brief. My name is Dorothy
17 Alther, and I am the Legal Director for California Indian
18 Legal Services. Our program represents the California
19 Tribal Chief of Police Association, and we were very
20 instrumental in working on AB 44.

21 I just had one clarification, and it was 1.9.4. It
22 talks about the certification or agreement, showing,
23 carrying out, criminal justice law enforcement. And I
24 was just wondering exactly what type of certifications or
25 agreements you are referring to.

1 I work with a lot of tribal law enforcement
2 departments and many of them have Bureau of Indian
3 Affairs deputization agreements. Therefore, their
4 officers are given special law enforcement commissions.
5 And I know in the past, a few of those tribes have
6 actually accessed CLETS as kind of a subagency of the
7 federal agency. Anyway, I won't get into the weeds.

8 So, there is this BIA deputization agreement, which
9 I would assume would obviously qualify under that
10 particular regulation. But I guess what I'm concerned
11 about is that there are tribes who may be exercising
12 inherent tribal criminal authority on their reservation
13 with no certifications or any type of agreements because
14 they have the sovereign right to do it.

15 So, I just wanted to sort of point out that a lot of
16 tribes have MOUs with their county. They're exercising
17 criminal jurisdictions under those MOUs. They may have a
18 deputization agreement with the Bureau of Indian Affairs,
19 and they may be exercising criminal jurisdiction under
20 that agreement.

21 I just want to point out there's a third category in
22 that tribes have inherent sovereign authority and
23 concurrent criminal jurisdiction in California. And they
24 may be carrying out that authority without any type of
25 certification or agreement.

1 So, I just wanted to clarify that point. Thank you.

2 **Chief O'Keefe:** Thank you. Okay.

3 **Ms. Williams:** I have a comment.

4 **Chief O'Keefe:** Yes, comment? I'm sorry. Please
5 come up and state your name, please.

6 **Ms. Williams:** Hello. Christine Williams. I'm the
7 Chief Judge for the Wilton Tribal Court. Thank you for
8 having me here today.

9 I just had sort of a question, clarification about
10 tribes who have tribal courts that might want to access
11 CLETS mostly for reporting in, but do not have law
12 enforcement agencies.

13 Is there language here that will cover access to
14 that? I'm thinking about the same 1.9.4. It talks about
15 tribal law enforcement. So, I'm wondering if there's a
16 way, because I assume every other court that you deal
17 with does have a law enforcement agency attached to it?

18 **Mr. Blair:** Not necessarily.

19 **Ms. Williams:** Okay.

20 **Mr. Blair:** The tribal courts will qualify under a
21 Class 2 type of agency.

22 **Ms. Williams:** Okay.

23 **Mr. Blair:** So, they will be reviewed as a Class 2
24 agency when submitting a CLETS application.

25 **Ms. Williams:** Okay. Thank you.

1 **Chief O'Keefe:** Thank you. Any more public
2 comments? Okay. Seeing and hearing none, Chris, this
3 will require a vote. So, I'll entertain the motion. Do
4 you accept?

5 **Mr. Park:** Greg Park moves to accept.

6 **Chief O'Keefe:** Thank you, Greg Park. Do we have a
7 second?

8 **Chief White:** Andrew White, second.

9 **Chief O'Keefe:** Andrew White. And roll call,
10 please.

11 **Mr. Blair:** Sheriff Honea?

12 **Sheriff Honea:** Approved.

13 **Mr. Blair:** Chief White?

14 **Chief White:** Approved.

15 **Mr. Blair:** Chief O'Keefe?

16 **Chief O'Keefe:** Approved.

17 **Mr. Blair:** Chief Gilliard?

18 **Chief Gilliard:** Approved.

19 **Mr. Blair:** Chief Baxter?

20 **Chief Baxter:** Approved.

21 **Mr. Blair:** Grep Park?

22 **Mr. Park:** Approved.

23 **Chief O'Keefe:** Okay. This passes. Next on the
24 agenda is new service applications. Chris, can you read
25 the application? I believe you just have one.

1 **Mr. Blair:** Yes. One new service application from
2 the Lake Mead National Recreation Area, Visitor, and
3 Resource Protection. This is located in Boulder City in
4 Clark County, Nevada. It's a Class 3 type agency, which
5 is a law enforcement sub-unit of a non-law enforcement
6 agency. They are law enforcement under 54 USC subchapter
7 1, law enforcement 102701.

8 The Lake Mead National Recreation Area, Visitor, and
9 Resource Protection is applying for CLETS access via
10 LEAWeb. They have taken on dispatching responsibilities
11 for Point Reyes National Seashore Rangers in Marin
12 County, California. To adequately serve the officers at
13 Point Reyes, Lake Mead needs access to California
14 Criminal Justice information in order to provide that
15 information to the Point Reyes officers.

16 They have peace officers. They have 60 sworn
17 personnel at Lake Mead, 12 at Point Reyes. They will be
18 connecting behind a local area network. Their interface
19 will be directly connected to DOJ with the DOJ's LEAWeb
20 interface. They will have a dedicated landline. They
21 plan 9 terminals. And their level of access will be
22 inquiry with full access to NCIC.

23 And the host recommendation of the DOJ is to
24 approve.

25 **Chief O'Keefe:** Okay. This requires a vote. Is

1 there any discussion from the members? Any discussion
2 surrounding this agency? None. Seeing and hearing none,
3 is there any public comment on this issue? Okay. Chris,
4 could we get a vote?

5 **Mr. Blair:** Sheriff Honea?

6 **Sheriff Honea:** Approved.

7 **Mr. Blair:** Chief White?

8 **Chief White:** Approved.

9 **Mr. Blair:** Chief O'Keefe?

10 **Chief O'Keefe:** Approved.

11 **Mr. Blair:** Chief Gilliard?

12 **Chief Gilliard:** Approved.

13 **Mr. Blair:** Chief Baxter?

14 **Chief Baxter:** Approved.

15 **Mr. Blair:** Greg Park?

16 **Mr. Park:** Approved.

17 **Mr. Blair:** Thank you.

18 **Chief O'Keefe:** Okay. Item 12 is the CLETS upgrade
19 applications approved by DOJ. It's a total of 12
20 approved since the last meeting. These are presented as
21 informal only and do not require a vote by the committee.
22 Instead of reading them all, I will ask that the
23 members and the public refer to the agenda where they are
24 listed.

25 Is there any comment from the committee? Any

1 questions? No?

2 Any public comments on this issue? Okay. Hearing
3 none, we'll move onto the next agenda item.

4 This is our closed session. Before we go into
5 closed session, Chris, please read the information about
6 our next move.

7 **Mr. Blair:** Pursuant to Government Code section
8 11126, subsection C18, a closed session is being
9 conducted in order to review detailed client reports
10 regarding specific matters that pose a threat or
11 potential threat of criminal activity against CLETS
12 and/or CLETS data transmitted between the DOJ and
13 specific client law enforcement agencies.

14 **Chief O'Keefe:** Okay. And those require votes, so
15 we'll go to closed session. Please initiate closed
16 session.

17 **Mr. Blair:** Sheriff Honea?

18 **Sheriff Honea:** Approved.

19 **Mr. Blair:** Chief White?

20 **Chief White:** Approved.

21 **Mr. Blair:** Chief O'Keefe?

22 **Chief O'Keefe:** Approved.

23 **Mr. Blair:** Chief Gilliard?

24 **Chief Gilliard:** Approved.

25 **Mr. Blair:** Chief Baxter?

1 efforts and directed dates by which items need to be
2 resolved.

3 **Chief O'Keefe:** Okay. Next on our agenda would be
4 the members' reports. I will ask that each member report
5 on their agency or association which you are representing
6 on the committee. And if I could, start with Sheriff
7 Honea.

8 **Sheriff Honea:** I have no report, thank you.

9 **Chief O'Keefe:** Chief White?

10 **Chief White:** No report, thank you.

11 **Chief O'Keefe:** From Cal OES, just getting ready for
12 the El Nino or whatever disasters and emergencies are
13 heading upon us. So, that's all we have. Thank you.

14 Chief Gilliard?

15 **Chief Gilliard:** No report.

16 **Chief Baxter:** Chief Baxter, no report.

17 **Mr. Park:** Greg Park. Just a small handful of
18 items.

19 The California Police Chief's technology summit is
20 coming up March 21st in Rohnert Park. Topics to be
21 covered, a one-day event, real-time crime center's 2.0,
22 crypto fraud investigations and artificial intelligence
23 in policing. We invite the audience and the committee to
24 join us if your schedules allow.

25 FBI CJIS security policies continue to be updated

1 and released. IACP, International Association of Chiefs
2 of Police, has a new set of podcasts available free of
3 charge on the IACP website. And the IJIS Institute has
4 authored a number of white papers to help guide our
5 executives and technology leaders through what some of
6 the changes look like and the deltas between current
7 policy and the new policies coming ahead.

8 And then, finally, a continued thank you from myself
9 to DOJ and staff for their ongoing support of the Master
10 of (inaudible) Code table. Every year, the legislature
11 and governor provide us with a new set of laws. Our
12 technology systems need to know what those codes are for
13 our frontline law enforcement folks to implement. And we
14 continue to thank the efforts of Mark St. Pierre
15 (phonetic), Jessica Bashara (phonetic) and their teams.
16 They've commented that, the first week or so of January,
17 we'll have the new codes for 2024 available for our data
18 sets.

19 And so, DOJ, thank you, for your ongoing support
20 there. And that's it.

21 **Chief O'Keefe:** Thank you. The next agenda item,
22 discussion, open forum, public comment. For this next
23 item on the agenda, I would like to first open it up to
24 the committee to request any new members or any items
25 members would like to recommend for future committee

1 meetings.

2 **Mr. Park:** I'd like to extend an invite to the DOJ
3 team that manages CLEW, that is the California Law
4 Enforcement Web portal where all of our practitioners log
5 in and can get updates, much like what Chris presented in
6 the PPPs, CJIS updates.

7 And so, having them kind of share with us, much as
8 we've identified with the report from the SSPS, we have a
9 lot of new staff, a lot of turnover happening in our
10 agencies. And perhaps being able to highlight CLEW and
11 the benefits that it offers would be very beneficial not
12 only for us to present, but for DOJ to present as well.

13 So, if that was possible, it would be well received.
14 Thank you.

15 **Chief O'Keefe:** Thank you for that. I'd like to
16 open up to any public comment at this time for an item
17 that is not agendaized for this meeting. Anything from
18 the public? Okay. Hearing nor seeing any hands, let's
19 go to our final agenda item and that's the next meeting.

20 We usually schedule the meetings twice a year. Our
21 next meeting will be around June or July of 2024. And
22 the staff is currently looking at a date when we would
23 have a quorum.

24 **Mr. Park:** Mr. Chair?

25 **Chief O'Keefe:** Yes.

1 **Mr. Park:** If I might ask for consideration, DOJ
2 staff, June, July, we all have very full calendars. And
3 June, July gets a little more full. And of course,
4 November, December also very full.

5 Is there potential we could adjust these to maybe an
6 April, May timeframe? A September, October timeframe?
7 Kind of shifting us at least out of other social
8 commitments that many of us probably have going on right
9 now, just for consideration. Thank you.

10 **Mr. Blair:** Yes.

11 **Chief White:** That's a good point. Yes.

12 **Mr. Blair:** Thank you, Greg. We have been
13 considering that exactly. We would prefer something
14 earlier than June or July. So, we are going to be
15 looking into April and May and something earlier than
16 November, December.

17 **Mr. Park:** If you did September, October, it gives
18 you a few extra months before the end of the year to --

19 **Mr. Blair:** Exactly.

20 **Mr. Park:** -- to hold the next meeting so we don't
21 fall out of compliance. Thank you.

22 **Mr. Blair:** All right. Thank you.

23 **Chief O'Keefe:** Okay. Thank you for that. Okay.
24 I'm going to move to adjourn the meeting. Thank you all
25 for coming and have nice, very happy holidays. Meeting

1 adjourned.

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