

CALIFORNIA DEPARTMENT OF JUSTICE  
CALIFORNIA LAW ENFORCEMENT  
TELECOMMUNICATIONS SYSTEM (CLETS)  
ADVISORY COMMITTEE (CAC) MEETING

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EXCERPT OF TRANSCRIPT FROM TAPED PROCEEDINGS

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THURSDAY, JUNE 9, 2016

Folsom City Council Chambers  
50 Natoma Street  
Folsom, California

TRANSCRIBED BY: Jo Anne Pyne

**DIAMOND COURT REPORTERS**

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1                                   P R O C E E D I N G S

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3                           [TRANSCRIBER'S NOTE:   Participants did  
4                           not always identify themselves during the course of  
5                           the meeting.]

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7                           SHERIFF MELE:    Good afternoon.   My name  
8                           is Sheriff Jim Mele, Tuolumne County.   We will be  
9                           calling the order of the CLETS Advisory Committee at  
10                          -- in Folsom, California, so thank you all for being  
11                          here.   We'll go ahead and start with the roll call.  
12                          Mr. Dann.

13                          MR. DANN:    For the California State  
14                          Sheriff's Association Vice-Chair Tuolumne County,  
15                          Sheriff James Mele.

16                          SHERIFF MELE:    Present.

17                          MR. DANN:    From the California Peace  
18                          Officers Association, Newark Police Department,  
19                          Commander Mike Carroll.

20                          COMMANDER CARROLL: Present.

21                          MR. DANN:    For the California Department  
22                          of Justice, California Justice Information Services,  
23                          Director Joe Dominic.

24                          DIRECTOR DOMINIC:    Present.

25                          MR. DANN:    For the League of California

1 Cities, Folsom City Manager, Evert Palmer.

2 CITY MANAGER PALMER: Present.

3 MR. DANN: I know that Cynthia will not  
4 be here today.

5 For the California Highway Patrol Chief  
6 Information Officer, Chief Scott Howland.

7 CHIEF HOWLAND: Present.

8 MR. DANN: For the Office of Emergency  
9 Services, Chief Mark Pazin.

10 CHIEF PAZIN: Here.

11 MR. DANN: For the California State  
12 Association of County of Sacramento, Chief Probation  
13 Officer, Lee Seale.

14 CHIEF SEALE: Present.

15 MR. DANN: For the California Peace  
16 Officers Association, Assistant Chief Marc Shaw.

17 ASST. CHIEF SHAW: Present.

18 MR. DANN: And I know Chief Frank  
19 Alvarez will not be here. Sheriff Mele, we have a  
20 quorum.

21 SHERIFF MELE: Thank you. A little  
22 housekeeping rules. The restrooms are out as you walk  
23 out the doors to the right and then if you make  
24 another right. Microphones, please use your  
25 microphone. The red light means that the microphone

1 is on. And if you would also please identify yourself  
2 before speaking.

3 This is not required. We would like to  
4 do some introductions through the audience, but we'll  
5 start with CLETS Administration Section and staff. If  
6 you would go ahead and please start that.

7 MS. CRANSTON: Maria Cranston with the  
8 CLETS Administration Section.

9 MR. KENNEDY: Steve Kennedy, CLETS  
10 Administration Section.

11 MS. MITCHELL: Michelle Mitchell,  
12 Department of Justice.

13 MR. WILSON: Herb Wilson, Orange County  
14 Sheriff's Department.

15 MR. McKEE: Stuart McKee, Microsoft,  
16 lawyer for Microsoft.

17 MR. MILLS: Andrew Mills with Microsoft.

18 MR. VANDERS: [Inaudible] Vanders with  
19 Extremes Corporation.

20 MR. CARLSON: David Carlson, CLETS  
21 Administration Section.

22 MR. MASON: Richard Mason, CLETS  
23 Administration Section.

24 CHIEF THORSEN: Good afternoon, Mr.  
25 Chairman, Chris Thorsen, Chief of Police from the City

1 of Oakley.

2 LT. BLAKE: Lieutenant Blake, Chief of  
3 Oakley P.D.

4 MR. SERVICE: Jeff Service from Oakley  
5 P. D.

6 MR. MALTON: Rich Malton, Computer  
7 Logistics.

8 UNIDENTIFIED FEMALE: June [Inaudible],  
9 Department of Motor Vehicles.

10 UNIDENTIFIED FEMALE: [Inaudible].

11 MR. IBBOTSON: Todd Ibbotson, Department  
12 of Justice.

13 MR. PARK: Brett Park, Livermore Police  
14 Department.

15 SHERIFF MELE: Okay, thank you very  
16 much.

17 At this time, we do have some -- some new  
18 members and we will go ahead and I will read, excuse  
19 me, a -- a short bio.

20 Mike Carroll, Newark Police Department  
21 Commander. Mike was hired as a police officer from  
22 the City of Newark in April 1991 and worked in Patrol  
23 four years before being selected as School Resource  
24 Officer in 1995. After returning to Patrol in 1999,  
25 he served in a variety of assignments including drill

1 training officer, explorer advisor, hostage  
2 negotiator, and Trauma Support team member. He was  
3 then assigned to the Southern Alameda County Gang  
4 Suppression Task Force as a detective from 2002 to  
5 2006.

6 Mike was promoted to Sergeant in 2008 and  
7 was responsible for supervising a shift in the Patrol  
8 Division, as well as the field training and K-9  
9 programs. He was then assigned to oversee the  
10 Detective Division from 2010 through 2012. He was  
11 promoted to the rank of Commander on April 1<sup>st</sup>, 2012  
12 and currently serves as a Support Service Division  
13 Commander. The Support Division Service -- Support  
14 Services Division includes investigations,  
15 communications, dispatch and the Records Division. He  
16 is responsible for Internal Affairs technology,  
17 professional standards, the red light camera system,  
18 which is Redflex, as well as personal -- personnel and  
19 training. Welcome, Mike.

20 Mark Pazin, appointed as Chief of the Law  
21 Enforcement Branch and Chief of Homeland Security of  
22 the Governor's Office of Emergency Services by  
23 Governor Jerry Brown on December 12<sup>th</sup>, 2013. Prior to  
24 his appointment, Chief Pazin had been with the Merced  
25 County Sheriff's Office for over 30 years. He served

1 in multiple divisions and ranks and, ultimately, was  
2 elected as Sheriff-Coroner in 2012 where he served  
3 multiple terms.

4 During Chief Pazin's tenure as Sheriff-  
5 Coroner he acquired all Peace Officer Standard and  
6 Training Certificates up to the executive level,  
7 served on the Alfred E. Alquist Safety Commission, the  
8 911 advisory board, and had the honor of being  
9 president, California State Sheriffs' Association.  
10 Chief Pazin is a graduate of the FBI National Academy,  
11 holds a Bachelors of Science Degree from the  
12 University of San Francisco, a Masters in Science  
13 Degree in the -- in National Security from the  
14 American Military University.

15 Welcome, Mark.

16 Sacramento County Chief Probation Officer  
17 Lee Seale. Lee was appointed Sacramento County Chief  
18 Probation Officer in April 2013. He began his career  
19 as a criminal prosecutor in the California Department  
20 of Justice and during which time he has also served as  
21 a consultant with P.O.S.T. in the areas of search and  
22 seizure law and interrogation law. He later worked as  
23 a special assignment in the Office of the Inspector  
24 General. On March 1, 2016, he was appointed to the  
25 Judicial Council Criminal Law Advisory Committee by

1 California Supreme Court Chief Justice Tani G. Cantil-  
2 Sak -- how do we say it again?

3 MR. SEALE: Sakauye.

4 SHERIFF MELE: There we go, thank you  
5 very much.

6 Before joining Sacramento County he  
7 served in the Schwarzenegger and Brown administrations  
8 as Director in the California Department of  
9 Corrections and Rehabilitation. Chief Seale holds a  
10 Juris Doctorate from UC Davis Law School.

11 Welcome.

12 MR. SEALE: Thank you.

13 SHERIFF MELE: So thank you all, you  
14 three, for your time and your efforts in this -- this  
15 committee. And at this time we will -- I will turn  
16 the time over to the Executive Secretary Keith Dann  
17 for his report.

18 MR. DANN: Good afternoon, Gentlemen.  
19 I'm going to take you through the action items from  
20 last time which there were none to report. And I'm  
21 also going to talk to you a little bit about CLETS  
22 Statistics and CLETS Potential Misuse Statistics.

23 For those that have been here at previous  
24 meetings I'm going to present it a little bit  
25 different this time, so this is going to be new to all



1 of you. I'm going to give you an overview of what was  
2 done in 2015, all of 2015. We usually report this as  
3 quarterly; this time we're going to give you an entire  
4 year's views.

5 So as you can see, the total messages  
6 inbound and outbound for CLETS is close to 1 billion  
7 transactions which equates to about 2.6 million per  
8 day.

9 Regarding CLETS Potential Misuse  
10 Statistics, it's part of CLETS PPP's 1.10.1 Section A,  
11 agencies that want to have a general search done by  
12 the California Department of Justice. We've stated  
13 this for various reasons. Sometimes they want to do a  
14 CLETS search of another agency. The bottom line, we  
15 will run these for the agency providing the statistics  
16 back of what happened and they're supposed to give us  
17 a report back.

18 In 2015 we -- we performed 79 and of  
19 those 79, 69 came back as no CLETS misuse, four are  
20 still pending. Those are usually toward the end of  
21 the year. As you guys know, an investigation of CLETS  
22 issues sometimes takes time. Of the six that were  
23 found, two were reprimanded, one was suspended, two  
24 resigned and two were terminated.

25 I do want to point out, you know, as we

1        were doing these statistics it came to our attention  
2        that the form that someone fills out sometimes that  
3        action taken won't equate to the actual misuse. So  
4        you can have one instance of misuse that could have  
5        been reprimanded, counseled, and terminated.

6                Also, want to bring attention to 1.10.1  
7        of the CLETS PPPs, Section D. This is an annual  
8        report that all CLETS subscribing agencies have to  
9        send to the DOJ by February 1<sup>st</sup> of each year for the  
10       previous year's statistics. Even if they have no  
11       misuse, they're supposed to report that to us, so zero  
12       reporting.

13               So in 2015 we had 811 agencies submit  
14       their report and that's as of today. We -- after the  
15       February 1<sup>st</sup> date we've had another 149. We stayed on  
16       top of agencies to submit this data to us, so we had  
17       149 come in after February. Of those that reported  
18       there was 175 investigations with 117 cases of actual  
19       found CLETS misuse. And, again, you can see what the  
20       actions we're taking and, again, the numbers if you  
21       were to add those up, they won't add up to 117,  
22       they'll be more.

23               Now to give some context to this, in  
24       California in 2014, and I'm going off the Crime in  
25       California publication that the Department publishes

1 at the -- every year all law enforcement send us --  
2 sends us the amount of officers sworn and non-sworn  
3 they have. So law enforcement, sworn and non-sworn  
4 only for 2014, there was 118,393. That does not  
5 include prosecution, public defense or probation. If  
6 you were to add those in, it would take it up to about  
7 151,000. Of those individuals there was close to 1  
8 billion transactions done in 2015 of which, for the  
9 general searches that DOJ performed, there was six  
10 misuse, you know, the annual report, there was 117 for  
11 a total of 123. So to put that into context, out of  
12 all the personnel, and this is law enforcement only,  
13 123 individuals or a tenth of a percent (.001%) were  
14 cited CLETS Misuse.

15 I'm presenting this not to just show, you  
16 know, the percentage, but also to show you in the  
17 bigger scheme of things while CLETS misuse every  
18 single one is important, it shows -- this shows that  
19 the CLETS PPPs are gaining force, being used, that law  
20 enforcement agencies are taking CLETS misuse serious  
21 for the ones that they know. They do an investigation  
22 on them, they do journal searches on them, and as you  
23 can see by the previous slides there's actually action  
24 taken against those.

25 If you guys have any questions, I'll be

1 willing to take them.

2 CHIEF HOWLAND: Yes, I do have a  
3 question. Scott Howland with the CHP. Is there any  
4 change as far as that trend goes? It shows 2015.  
5 When we look at prior years, up, down, consistent?

6 MR. DANN: That is something that we can  
7 do, that I can absolutely report at the next meeting.  
8 I do not do that for this; I was just looking at 2015.  
9 I will say that CLETS misuse as a whole, you know,  
10 when you go by the 123 in the previous year, there was  
11 less. I can do a trend analysis and let's say for the  
12 last five years. Is that fine?

13 CHIEF HOWLAND: That'd be great.

14 MR. DANN: And I'll present that and  
15 I'll have the -- the amount of officers, the amount of  
16 -- of CLETS traffic, if we're able to pull that from  
17 our system. Yeah, CLETS has a three-year retention  
18 rate on journal searches. But we -- we should have  
19 the data for that and so I can report that.

20 CHIEF HOWLAND: Great. Thank you.

21 MR. DANN: Like I said, I'm just trying  
22 to give some context to how many CLETS misuse there  
23 are, about how many officers there are and to show  
24 that the CLETS PPPs, which are the Bible for law  
25 enforcement, is being followed.

1                   SHERIFF MELE:   Any other questions?

2                   MR. DANN:    No?

3                   SHERIFF MELE:   Thank you, Keith.

4                   MR. DANN:    Thank you, Gentlemen.

5                   SHERIFF MELE:   And before you leave, I  
6 do want to say thank you so much. I think that --  
7 that we need to remember that, number one, that this  
8 is an Advisory Committee, that we are appointed by the  
9 Attorney General. And that we do take as -- as --  
10 this is a very serious thing that you were talking  
11 about and that it's very important that the public  
12 understands that we take any type of misuse very  
13 seriously. And that under the direction of the -- the  
14 Attorney General, 'cause this is one of the things  
15 that she's in charge of is the -- the CLETS, that this  
16 committee will do everything in its power to advise  
17 the Attorney General and give the Attorney General as  
18 much information and -- and as much, well, I'll just  
19 say information and knowledge of -- of -- if this is a  
20 problem. Obviously, having one is one too many. We,  
21 obviously, can improve, but those are -- those are  
22 fantastic numbers, so thank you so much for the time  
23 and effort.

24                   MR. DANN:    Thank you.

25                   SHERIFF MELE:   Okay, Item 7 on the

1 Update-Applications that are approved by the  
2 Department of Justice. The -- excuse me. There were  
3 16 CLETS upgrade applications and, for information  
4 only, go ahead and just read these? Is that what I  
5 need to do or do I --

6 MR. DANN: You do not need to.

7 SHERIFF MELE: Okay. So there are --  
8 there are those 16 upgrade applications.

9 Item 8. I will -- I will turn the time  
10 over to Manager Maria Cranston to present information  
11 about the -- these applications. Maria.

12 MS. CRANSTON: Thank you. Good  
13 afternoon, Committee Members. Today I'll be  
14 presenting three applications for agencies requesting  
15 access to CLETS.

16 The first application is for the Coast  
17 Community College District Police Department in Orange  
18 County. They qualify under California Penal Code  
19 section 830.32(a). The Police Department will provide  
20 law enforcement services for three colleges within the  
21 district, for Golden West, Orange Coast, and Coastline  
22 Colleges. They will have a total of ten peace  
23 officers.

24 The staff recommends approval.

25 SHERIFF MELE: Okay. Thank you. At

1       this time, we will go ahead and take a vote per  
2       Bagley-Keene. There's no need, oop, I'm sorry, I'm  
3       sorry. This is my first time. Any public comment?

4               UNIDENTIFIED FEMALE: Thank you.

5               SHERIFF MELE: I'm sorry, excuse me.

6               MR. DANN: That's why we have attorneys.

7               SHERIFF MELE: You were supposed to hit  
8       me. You -- you went to Vegas, didn't you?

9               UNIDENTIFIED MALE: I'll sit next to  
10       you.

11              SHERIFF MELE: We didn't hire you just  
12       for your pretty face.

13              Any other -- any public comment? Okay.  
14       All right. First, Bagley-Keene, we will now go ahead  
15       and take a roll call vote. Correct? Okay.

16              UNIDENTIFIED MALE: Do we need a motion  
17       and a second?

18              SHERIFF MELE: No, Chief. Bagley-Keene  
19       states that a roll call there is no motion.

20              UNIDENTIFIED MALE: Oh.

21              SHERIFF MELE: It will just be done per  
22       the vote. If it passes, great. If it doesn't, --

23              UNIDENTIFIED MALE: Okay.

24              SHERIFF MELE: -- that's fine, also.

25              UNIDENTIFIED MALE: My first time, too,

1       [inaudible].    Clarification.

2                   SHERIFF MELE:    We're here to help.

3                   MR. DANN:    So I will go down the list.

4       Sheriff Mele.

5                   SHERIFF MELE:    Yes.

6                   MR. DANN:    Commander Mike Carroll.

7                   COMMANDER CARROLL:    Yes.

8                   MR. DANN:    CJIS Director Joe Dominic.

9                   DIRECTOR DOMINIC:    Yes.

10                  MR. DANN:    Folsom City Manager Evert

11       Palmer.

12                  CITY MANAGER PALMER:    Yes.

13                  MR. DANN:    Chief Scott Howland.

14                  CHIEF HOWLAND:    Yes.

15                  MR. DANN:    Chief Mark Pazin.

16                  CHIEF PAZIN:    Yes.

17                  MR. DANN:    Probation Officer Lee Seale.

18                  CHIEF SEALE:    Yes.

19                  MR. DANN:    Assistant Chief Marc Shaw.

20                  ASST. CHIEF SHAW:    Yes.

21                  MR. DANN:    And we do have a quorum, so  
22       that one passes.

23                  SHERIFF MELE:    Okay.   Thank you.

24                  MS. CRANSTON:    Okay, the next

25       application is for the Oakley Police Department in



1 Contra Costa County. Previously, Oakley Police  
2 Department was in contract city under the Contra Costa  
3 County Sheriff's Department. They are now  
4 independently operated as their own police department  
5 and they will provide law enforcement services for the  
6 City of Oakley. They have a total of 29 peace  
7 officers and staff recommends approval.

8 SHERIFF MELE: Okay. Public comment?  
9 Okay, we'll go ahead and do the roll call.

10 MR. DANN: Sheriff Mele.

11 SHERIFF MELE: Yes.

12 MR. DANN: Commander Mike Carroll.

13 COMMANDER CARROLL: Yes.

14 MR. DANN: CJIS Director Joe Dominic.

15 DIRECTOR DOMINIC: Yes.

16 MR. DANN: Folsom City Manager Evert  
17 Palmer.

18 CITY MANAGER PALMER: Yes.

19 MR. DANN: Chief Scott Howland.

20 CHIEF HOWLAND: Yes.

21 MR. DANN: Chief Mark Pazin.

22 CHIEF PAZIN: Yes.

23 MR. DANN: Sacramento Chief Probation  
24 Officer Lee Seale.

25 CHIEF SEALE: Yes.

1 MR. DANN: Assistant Chief Marc Shaw.

2 ASST. CHIEF SHAW: Yes.

3 MR. DANN: We have a quorum and it does  
4 so pass.

5 SHERIFF MELE: Okay.

6 MS. CRANSTON: The last application is  
7 for the National Park Service, Redwood National and  
8 State Parks in Humboldt County. They qualify under  
9 California Penal Code 830.8 and U. S. Code 102701.  
10 And they enforce federal and state laws within the  
11 Redwood National and State Parks. They have a total  
12 of 17 federal law enforcement officers and staff  
13 recommends approval.

14 SHERIFF MELE: Thank you. Public  
15 comment? Okay, we'll go ahead and take the roll call.

16 MR. DANN: Sheriff Mele.

17 SHERIFF MELE: Yes.

18 MR. DANN: Commander Carroll.

19 COMMANDER CARROLL: Yes.

20 MR. DANN: CJIS Director Joe Dominic.

21 DIRECTOR DOMINIC: Yes.

22 MR. DANN: Folsom City Manager Evert  
23 Palmer.

24 CITY MANAGER PALMER: Yes.

25 MR. DANN: Chief Scott Howland.

1 CHIEF HOWLAND: Yes.

2 MR. DANN: Chief Mark Pazin.

3 CHIEF PAZIN: Yes.

4 MR. DANN: Sacramento Chief Probation  
5 Officer Lee Seale.

6 CHIEF SEALE: Yes.

7 MR. DANN: Assistant Chief Marc Shaw.

8 ASST. CHIEF SHAW: Yes.

9 MR. DANN: We have a quorum and it is so  
10 passed.

11 SHERIFF MELE: Okay. Thank you. Client  
12 Reports. Let's start -- on this one --

13 UNIDENTIFIED MALE: So they're now  
14 compliant.

15 SHERIFF MELE: Okay.

16 UNIDENTIFIED MALE: [Inaudible].

17 SHERIFF MELE: Okay. All right, so the  
18 only one that we have on here was the Anaheim --  
19 Anaheim Police Department which they are now  
20 compliant.

21 At this time, we will go into closed  
22 session after a vote pursuant, again, to Government  
23 Code Section 11126, subsection (c), subsection (18).  
24 We will go ahead and have a vote to do that.

25 MR. DANN: Sheriff Mele.

1 SHERIFF MELE: Yes.

2 MR. DANN: Commander Carroll.

3 COMMANDER CARROLL: Yes.

4 MR. DANN: CJIS Director Joe Dominic.

5 DIRECTOR DOMINIC: Yes.

6 MR. DANN: Folsom City Manager Evert

7 Palmer.

8 CITY MANAGER PALMER: Yes.

9 MR. DANN: Chief Scott Howland.

10 CHIEF HOWLAND: Yes.

11 MR. DANN: Chief Mark Pazin.

12 CHIEF PAZIN: Aye.

13 MR. DANN: Sacramento Chief Probation

14 Officer Lee Seale.

15 CHIEF SEALE: Yes.

16 MR. DANN: Assistant Chief Marc Shaw.

17 ASST. CHIEF SHAW: Yes.

18 MR. DANN: We have enough votes for a

19 consensus to move to closed session.

20 SHERIFF MELE: Okay, thank you.

21 MR. DANN: For those in the audience,

22 we'll be out in a few minutes.

23 UNIDENTIFIED MALE: Chief, Chief,

24 [inaudible] get your [inaudible] leaving shall I wait

25 for them? Is that in [inaudible], is that how this

1 works?

2 UNIDENTIFIED MALE: It's important that  
3 [inaudible].

4 UNIDENTIFIED MALE: Oh, oh, oh, oh.

5 UNIDENTIFIED MALE: I'll see you up  
6 there.

7 [Closed Session]

8 -o0o-

9 MR. DANN: Is that on, Steve?

10 MR. KENNEDY: [Inaudible].

11 SHERIFF MELE: Are you going to report  
12 back?

13 MR. DANN: Yeah.

14 SHERIFF MELE: Okay. The Committee is  
15 out of closed session and I will turn the time over to  
16 Keith Dann to report back.

17 MR. DANN: So pursuant -- pursuant to  
18 Government Code Section 11126(c)18 we conducted a  
19 closed session. We did review one application  
20 regarding extension --

21 SHERIFF MELE: Yeah.

22 MR. DANN: -- and that was approved.

23 SHERIFF MELE: Okay, thank you.

24 All right, Item 11, chair vacancy. This  
25 -- at this point we're going to initiate some

1 discussion on a chair and is there anybody that wants  
2 to lead that discussion in -- in this matter?

3 UNIDENTIFIED MALE: I make a motion that  
4 we nominate Jim -- Sheriff Jim Mele.

5 DIRECTOR DOMINIC: Wait a second,  
6 nobody's [inaudible].

7 MS. MITCHELL: I think this is just a  
8 discussion, --

9 SHERIFF MELE: This is a discussion.

10 MS. MITCHELL: -- not for a vote.

11 SHERIFF MELE: Love -- I love your --

12 UNIDENTIFIED MALE: [Inaudible].

13 MR. DANN: Well, part of the -- the  
14 Government Code Section allows the committee to  
15 nominate a chair for a specific period of time, so  
16 this is just a discussion of that at this point.  
17 Since Chair Spiegel stepped down and we had nominated  
18 Vice-Chair James Mele, he will be conducting these  
19 meetings until a chair is appointed. But this is just  
20 a discussion item for you guys to -- to talk about,  
21 not for a vote.

22 UNIDENTIFIED MALE: And -- and do guys  
23 -- like, who actually makes the appointment?

24 MR. DANN: It's the committee itself.  
25 It's -- it's -- you guys discussing who's the best

1 candidate or who you feel is nominated. So it's just  
2 a discussion.

3 SHERIFF MELE: Okay.

4 UNIDENTIFIED MALE: Let's discuss Jim.

5 DIRECTOR DOMINIC: I would just like to  
6 say I think since Chief Mele's been the acting and has  
7 been involved in the -- in the committee for a long  
8 period of time, it makes sense for just continuity  
9 that he -- we elect him, potentially, --

10 UNIDENTIFIED MALE: I concur.

11 DIRECTOR DOMINIC: -- as chair.

12 UNIDENTIFIED MALE: I concur, as well.

13 SHERIFF MELE: Oh, you guys.

14 UNIDENTIFIED MALE: Thank you, Sheriff.

15 SHERIFF MELE: Oh, you're just too kind.

16 MR. DANN: So, Ms. -- Michelle, would  
17 this need to be an agenda item in December or can it  
18 be taken as a vote now since it's on the agenda?

19 MS. MITCHELL: Since it's not designated  
20 as a -- as a vote or a discussion, it's just an item,  
21 then I think it would be appropriate at this time.

22 MR. DANN: So, what?

23 MS. MITCHELL: If there's a motion and a  
24 second, a vote would be appropriate.

25 SHERIFF MELE: I really thought you were

1       going to say 'til December and I was going to agree  
2       with that one.

3               MR. DANN:     So the other part of that --

4               MS. MITCHELL:   There's certainly no down  
5       side to -- to actually noticing it and taking a vote  
6       at that time.

7               DIRECTOR DOMINIC:   Yeah.

8               MR. DANN:     I -- I would think that would  
9       probably be appropriate because --

10              MS. MITCHELL:   [Inaudible] now?

11              MR. DANN:     Yes. And I was, you know,  
12       for public comment. Maybe there's somebody out there,  
13       so I think it probably would be more --

14              DIRECTOR DOMINIC:   Yeah.

15              MR. DANN:     -- appropriate and more  
16       transparent --

17              MS. MITCHELL:   That'd be the way to go.

18              MR. DANN:     -- if we did it that way.

19              MS. MITCHELL:   That'd be the way to go.  
20       That would be the way to go.

21              DIRECTOR DOMINIC:   I think that's a  
22       better way to go is have it on the agenda and have  
23       public comment.

24              MR. DANN:     Duly noted.

25              UNIDENTIFIED MALE:     So what about --



1 UNIDENTIFIED MALE: Question, Mr. Chair?

2 SHERIFF MELE: Well, wait, as long as  
3 I'm chair, --

4 UNIDENTIFIED MALE: So --

5 SHERIFF MELE: -- let me ask my question  
6 first.

7 UNIDENTIFIED MALE: Okay, all right.  
8 Sorry, Sheriff.

9 SHERIFF MELE: That's all right. My --  
10 what about vice-chair, Michelle?

11 UNIDENTIFIED MALE: That's what I was  
12 going to ask.

13 SHERIFF MELE: Okay. See, great minds.

14 UNIDENTIFIED MALE: Simpatico.

15 MS. MITCHELL: Yeah. That is actually  
16 not on the agenda.

17 SHERIFF MELE: So my question is do we  
18 do that the next time, also? Put that -- put those on  
19 there and have -- okay.

20 MS. MITCHELL: Exactly.

21 DIRECTOR DOMINIC: Yes, agendize [sic]  
22 that.

23 MS. MITCHELL: We haven't set our next  
24 agenda, so that's the reason I think you can put it on  
25 the --

1                   SHERIFF MELE:    Okay.

2                   MS. MITCHELL:   -- next agenda.

3                   DIRECTOR DOMINIC:   Sounds good.

4                   SHERIFF MELE:    All right.

5                   MR. DANN:     All right, Sheriff, --

6                   SHERIFF MELE:    Should we have some  
7                   discussion on the vice-chair?  Is there any  
8                   volunteers?  I mean, that's probably the best way.  
9                   Mark, why are you sliding back?

10                  Okay.  Anybody -- any discussion?

11                  Anybody --

12                  UNIDENTIFIED MALE:   I'll put City  
13                  Manager as vice-chair.  I'll put that out there.  
14                  They've been -- for continuity purposes.

15                  CITY MANAGER PALMER:   Happy to serve.

16                  SHERIFF MELE:    Okay.  All right.  So  
17                  then we can put that on the agenda for our next  
18                  meeting.  Okay, thank you.  Thank you, Sir.

19                  Okay, so report.  Any of our members have  
20                  anything to report that they would like to discuss?  
21                  We need to go down do a --

22                  MR. DANN:     Goes down the list.

23                  SHERIFF MELE:    [Inaudible] goes down the  
24                  list.

25                  MR. DANN:     From right to left.

1                   SHERIFF MELE:    Right to left.  My right?

2                   MR. DANN:     Your right.

3                   UNIDENTIFIED MALE:    I have nothing to  
4 report, Mr. Chair.

5                   SHERIFF MELE:    Okay.

6                   UNIDENTIFIED MALE:    Nothing to report.

7                   UNIDENTIFIED MALE:    Nothing to report.

8                   UNIDENTIFIED MALE:    I have nothing to  
9 report.

10                  SHERIFF MELE:    You know, I'm going to --  
11 you know, we need names on the backside so I can know  
12 who is -- who is who.  That's what we need here.  
13 Keith.

14                  MR. DANN:     Done.

15                  SHERIFF MELE:    Anything to report?

16                  DIRECTOR DOMINIC:    Yeah, I have one  
17 thing to report.  Actually two things.

18                  MS. MITCHELL:    Can you state your name?

19                  DIRECTOR DOMINIC:    Joe Dominic.  Thank  
20 you, Michelle.

21                  At the last SSPS meeting in March, DOJ  
22 staff provided an update on Microsoft Cloud Computing  
23 and Documentation and [Inaudible].  And at that time  
24 we said that -- we reported that we had all the rules  
25 and responsibilities just, essentially, a Matrix

1 document, showing what responsibilities are for agency  
2 and for the cloud service provider completed. There  
3 was a misunderstanding. Those staff were still  
4 working on completing and finalizing that matrix with  
5 Microsoft which I've been told by staff that that  
6 should be completed within a month or so. No later  
7 than two months, but I'm hoping one month. So that's  
8 just one clarification I wanted to bring up based on  
9 what was discussed at the last SSPS.

10 We do have one active application in I  
11 believe it's Chula Vista. So we're using that as an  
12 opportunity to test the documentation and finalize  
13 that so that that's working well. And we're using  
14 that as a use case and hope to have the application  
15 here completed and -- before the committee chairman to  
16 be able to discuss.

17 And another thing I wanted to mention is,  
18 also, that the FBI just released the CJIS Policy  
19 Version 5.5, so we'll be updating it on CLEW.

20 UNIDENTIFIED PERSON: It is.

21 DIRECTOR DOMINIC: We already have?  
22 Thank you. And then, as well, as you go to Google or  
23 Yahoo you can usually search CJIS FBI Security Policy  
24 Version 5.5, that'll give you a link to it. It's all  
25 over the Internet. So I would recommend everybody

1 take a look at that.

2 Also, the FBI's also released a document  
3 that describes the changes and the impact of what's  
4 been added or revised in the policy. So there's a  
5 really nice document that kind of also covers the  
6 changes.

7 SHERIFF MELE: Okay. Thank you.

8 UNIDENTIFIED MALE: I have nothing.

9 SHERIFF MELE: Nothing to report?

10 UNIDENTIFIED MALE: Nothing to report.

11 UNIDENTIFIED MALE: Mr. Chair, I don't  
12 know how we pick venues, but I'd like to offer the  
13 State Operations Center for one of our meetings in --  
14 prospectively.

15 SHERIFF MELE: Okay. Thank you very  
16 much, Chief.

17 UNIDENTIFIED MALE: There's room.

18 SHERIFF MELE: Appreciate that. Thank  
19 you.

20 MR. DANN: Can I work with you, Chief?

21 UNIDENTIFIED MALE: Yes, Sir.

22 MR. DANN: Okay, thank --

23 UNIDENTIFIED MALE: Thanks.

24 MR. DANN: -- thank you.

25 SHERIFF MELE: Okay. At this point, the

1 CAC will entertain discussion/open forum public  
2 comment from the public. You're invited to come to  
3 the podium and --

4 UNIDENTIFIED MALE: [Inaudible].

5 SHERIFF MELE: Yes, Sir, please. You  
6 don't have to, but if you wouldn't mind stating your  
7 name. You don't have to, but -- thank you.

8 MR. ALFREDO: Good afternoon, my name's  
9 Alfredo, I'm the CLETS Administrator for Sacramento  
10 County Sheriff's Department. And I just have a -- a  
11 question in regards to cloud computing. We have two  
12 agencies in Sacramento County that are working towards  
13 cloud computing. And, specifically, I'm using cloud  
14 and also using Office 365. So my request is if we  
15 could kindly have a more clear black and white  
16 explanation of what requirements, you know, all tech  
17 items of what they need to prepare for cloud computing  
18 and what they can use to transfer information in Office  
19 -- in the [inaudible].

20 DIRECTOR DOMINIC: I can take that.

21 SHERIFF MELE: Okay. Thank you, thank  
22 you so much.

23 DIRECTOR DOMINIC: Thank you, Alfredo.

24 So the California Department of Justice,  
25 what we did is we did adjudication agreement with

1 Microsoft and Amazon to provide personal screening,  
2 training and we also looked at the architecture at a  
3 point in time and documentation for security compliance  
4 and provided those services. What we're doing right  
5 now with Microsoft is trying to work through. In  
6 Amazon we had that documentation already completed and  
7 what the documentation is it -- it's nothing more than  
8 Excel Spreadsheet, a matrix, if you will, that goes  
9 down and lists all the shalls and all the requirements  
10 for CJIS Security Policy and showing who's responsible  
11 for what, whether it's Microsoft or agency. So  
12 everybody who needs to know who's responsible should  
13 there be an audit, right, for that particular  
14 compliance.

15 We're really close in completing that  
16 with Microsoft. Once that's done you would work with  
17 Microsoft or Amazon, in this case both, to submit a  
18 CLETS application in for review that -- with that  
19 matrix document that helps to identify the  
20 responsibilities. So that would come through and we  
21 would review it and then it would be fast-tracked and  
22 -- because we've done some preliminary checks and  
23 balances.

24 But the ongoing commitment of security  
25 and compliances between Microsoft and agency we've done

1       this as a service -- when I say us, DOJ does this as a  
2       service to law enforcement agencies because we've heard  
3       that they wanted to look at utilizing this type of  
4       technology. With that as a -- it's important that  
5       there's shared responsibility between the agency and  
6       Microsoft to ensure continued compliance.

7               Hope that answered the question, Alfredo.

8               MR. ALFREDO:     Yes.

9               DIRECTOR DOMINIC:   But it really is to  
10       put that in place so agencies can submit and leverage  
11       cloud computing with a level of confidence, but knowing  
12       that there's still due diligence required at the agency  
13       level to know what services are being implemented or  
14       taken advantage of or being utilized, and what the  
15       compliance responsibilities are. And that's one of the  
16       things I would do with Microsoft to make sure that we  
17       had that documentation for law enforcement so when they  
18       go -- agencies, when they go forward with the, you  
19       know, taking advantage of that type of a service.

20              MR. ALFREDO:     Thank you.

21              DIRECTOR DOMINIC:   Okay.

22              SHERIFF MELE:     Anything -- any -- any  
23       other public comment? You, Sir?

24              MR. GRAYSON:     Yes, my name is Mark  
25       Grayson, I'm CLETS Coordinator for Alameda County and



1       for Alameda County S.O. Now I have a question on the  
2       cloud requirements. Is Amazon and Microsoft is -- is  
3       it the basis for the requirements for the CLETS  
4       coordination between the state and local areas? Or  
5       could, hypothetically, could somebody build their own  
6       cloud and where could you find those specifications  
7       that would meet DOJ requirements so you could build  
8       your own?

9               DIRECTOR DOMINIC:    Shall I take that, as  
10       well?

11              SHERIFF MELE:    Yes.

12              DIRECTOR DOMINIC:    So the CJIS security  
13       policy describes, which is essentially the NIST 853  
14       moderate, --

15              MR. GRAYSON:    Unn hum.

16              DIRECTOR DOMINIC:    -- but more so  
17       there's other requirements, as well, for administrative  
18       controls. But if you look through the CJIS security  
19       policy, there's also a cloud computing kind of piece in  
20       that policy, --

21              MR. GRAYSON:    [Inaudible].

22              DIRECTOR DOMINIC:    -- along with all the  
23       requirements. So just like a county providing IT  
24       services to a law enforcement -- a criminal justice  
25       agency, it's -- it's no different. Anyone can meet the

1 requirements for service, as long as they meet the  
2 requirements, right?

3 MR. GRAYSON: But --

4 DIRECTOR DOMINIC: So --

5 MR. GRAYSON: -- so it's based on the  
6 requirements and the specifications in CJIS security  
7 and in line with -- with currently approved methods.

8 DIRECTOR DOMINIC: Exactly. So if you  
9 look at this as -- at a agency level, whether you're  
10 county or criminal justice, it's what you have on the  
11 raised floor, right, and how you're protecting the data  
12 and getting access to it. So when it's in the cloud,  
13 it's no different of whether or not you want to  
14 establish your own private cloud and the money that  
15 goes behind doing something like that.

16 There's a lot of money spent on Microsoft  
17 and Amazon ensuring compliance. Not only the CJIS  
18 security policy, but it's also, FISMA and anything  
19 else, they're just a litany HIPAA, you know, financial  
20 -- there's a lot that is put into that. But certainly  
21 it -- nothing's -- any agency can go and -- and, you  
22 know, meet those requirements and implement on their  
23 own.

24 MR. GRAYSON: Well, [inaudible]. And  
25 the only other question I had is I haven't seen the 5.5

1 FBI policy, but the requirements on the SSL versus the  
2 T1.1 and T1. or 1.2 has it changed or is it the same  
3 under the new guidelines?

4 DIRECTOR DOMINIC: I -- I don't believe  
5 they've changed that too much, but I know that there is  
6 some updates to that because the certificates and some  
7 vulnerabilities so you have to take a look at that. I  
8 -- a lot of the -- you look at the matrix document the  
9 FBI posted and it tells you what all the changes are.  
10 For example, they have Security 1 is trading now, they  
11 added another category which is janitors which means  
12 they don't have access to data, electronic or, you  
13 know, paper.

14 MR. GRAYSON: Are you talking about the  
15 practitioner --

16 DIRECTOR DOMINIC: Right. So -- so we  
17 created that as -- as another level because we don't  
18 want to put the same level of scrutiny on a janitor we  
19 do as somebody who's using criminal justice data. So  
20 that's one. And, also, I believe it's like, for  
21 example, fax machines --

22 MR. GRAYSON: Yes.

23 DIRECTOR DOMINIC: -- so if anybody's  
24 faxing data over electronic mediums, like electronic  
25 faxing system, it's going to require FIPS 140-2

1 requirements, as opposed to if it's analog. Then --

2 MR. GRAYSON: Just want to get it to the  
3 terminal ID that it still meets the specs.

4 DIRECTOR DOMINIC: Right. So --

5 MR. GRAYSON: Roger that. Thank you,  
6 Sir.

7 MR. DANN: I just -- I just wanted to  
8 add one other thing for the cloud computing. On CLEW,  
9 there -- if you look under the CLETS Administration  
10 Section, there is a blank DOJ matrix that has all the  
11 CJIS controls that we're looking at -- that we're  
12 looking at along with Microsoft and that we're also  
13 looking along with Amazon. So it's a template that we  
14 would require. You would just have to, since you would  
15 own the whole thing, you would have to be responsible  
16 for meeting this -- security controls for the entire  
17 document. But it is available on CLEW.

18 MR. GRAYSON: Thank you, Sir.

19 MR. DANN: You bet.

20 SHERIFF MELE: Thank you. Any other  
21 public comment? Okay.

22 MR. DANN: Sheriff Mele, I do want to  
23 bring into the record a letter we received from  
24 Electronic Frontier Foundation yesterday evening that  
25 was provided to the CAC members today that we will be

1 entering into public record.

2 SHERIFF MELE: Okay. So noted. Thank  
3 you very much.

4 Okay. Before we adjourn, I do want to  
5 say publicly for the public and for this board, also,  
6 we want to thank Karen Wong from the Office of  
7 Emergency Services, Larry Spikes from the -- that  
8 represented the California State Association of  
9 Counties, and, also, a good friend, Sam Spiegel, who  
10 was the chair of this committee and served -- all of  
11 these people served so valiantly and so graciously in  
12 their capacity as this. And so we want to thank them  
13 both.

14 Just as importantly, we want to -- I want  
15 to personally welcome again Commander Mike Carroll.  
16 Welcome.

17 COMMANDER CARROLL: Thank you.

18 SHERIFF MELE: Chief Pazin, welcome,  
19 thank you so much. And Chief Seale, thank you so much  
20 for your -- for your -- your dedication that will --  
21 being in this -- in this -- this committee.

22 So with that, our next scheduled meeting  
23 will be December 2016. And if there's nothing else to  
24 do we will go ahead and adjourn. Thank you all for  
25 coming.

1 MR. DANN: Thank you.

2 -o0o-

3 [Whereupon the meeting was adjourned.

4 Next meeting scheduled for December 2016.]

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Dated this **1<sup>st</sup> day of March 2017** at  
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J. D. Pyne, Transcriber

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