

June 1<sup>st</sup>, 2019

Ms. Maria Cranston, Manager  
CLETS Executive Secretary  
Department of Justice  
CLETS Administration Section  
PO Box 903387  
Sacramento, CA 94203-3870

Re: Administrative Quarterly CLETS Compliance Report – ORI CA0370000

Dear Ms. Cranston,

It is the goal of the San Diego County Sheriff's Department to be compliant with all Federal Bureaus of Investigations (FBI) CJIS Information Technology Security standards as well as all CLETS Policies, Practices and Procedures. Below is an update to our administrative issues that we were identified as out of compliance on our most recent FBI audit.

1. **Security Addendums:** *The San Diego County Sheriff's Office recived IT services from their respective private contractors. No CJIS Security Addendums were signed and maintained for all unescorted private contractor personnel performing criminal justice functions (Cogent and NetRMS).*
  - a. **IN PROGRESS-** Sheriff's Department ahs sent out forms to private contractors that provide IT services to complete and return to us within the next 7 days.  
**Completion goal date:** April 1<sup>st</sup>, 2018  
  
**Update 4/5/18:** Completed  
**Update 4/17/18:** Completed, had to get updated contract representatives to sign forms  
**Updated 4/18/18:** Sent completed forms to DOJ
2. **Personnel Security:** *The San Diego County Sheriff's Office does not fingerprint all personnel with unescorted access to CJI (Custodial and maintenance personnel).*
  - a. **IN PROGRESS** - San Diego County Sheriff's Office receives their janitorial services through a few different county wide contracts. These contracts include over 700 janitorial staff that handle all county locations including San Diego County Sheriff, San Diego Probation, and the District Attorney's office. Currently all janitorial staff are backgrounded, finger printed and cleared by the County of San Diego prior to receiving clearance in any county buildings

including the San Diego County Sheriff's Department. They also receive some form of security awareness training in their orientation with the county. Within the Sheriff's Department, most all of our buildings have someone at the location during the hours the janitorial staff is working. No CLETS information is allowed to be posted in areas where janitorial staff is allowed or viewable by unauthorized users. Our computers are locked and in order to view CLETS information it would require two different logons before accessing that information. Computers are not allowed to be left unattended, and screen protectors are required at any terminal that anyone from the public could view information while employees are working.

Because DOJ/FBI will not allow the county to handle finger printing by the County of San Diego for janitorial staff this would currently mean that all janitorial staff would need to be finger printed and receive bi-annually security awareness training with all three Law Enforcement agencies it serves including San Diego County Sheriff's Department, San Diego Probation Department and the District Attorney's office. It was discussed at length with another field auditor from DOJ to possibly come up with another solution that would be beneficial for all involved. The solution would be for a single agency, being the San Diego County Sheriff's Department to take on responsibility for finger printing and providing bi-annual security awareness training for all janitorial staff in the county on behalf of the other agencies.

This would require an agreement be put in place for the three agencies (San Diego County Sheriff, Probation, and District Attorney) to state that the Sheriff's Department would handle these items on behalf of the other agencies. We are currently working with County Counsel, purchasing and contracting divisions as well as Probation and the District attorney's office to come up with a plan of action. The Sheriff's Department has a meeting scheduled with the Janitorial companies, county, and County Counsel on Monday March 19<sup>th</sup> to start this process. We have worked with Probation and the District attorney to identify all locations that are serviced by the janitors that belong to the Sheriff, Probation or District Attorney. Within those locations we have identified there are 312 employees out of the 700 janitorial employees that are restricted to those LE locations only. We will first be addressing security awareness training logistics. The janitorial staff is not provided with computer access so we are unable to provide them with the NexTest version of the security awareness training. Security Awareness training will need to be done in person with a CLETS certified trainer during all hours of the day to accommodate their shifts.

After our meeting on March 19<sup>th</sup>, we will be following up with Probation and District Attorney to provide updates and discuss finger printing issues. This is a huge financial burden to put on one agency and will need to be shared among all agencies involved. We will also be working on completing an agreement with these agencies that defines all responsibilities. We will also be working on making changes to contracts in the future for all janitorial staff to have their initial fingerprints done at a Sheriff's facility but those contracts aren't up for renewal for a while. In the meantime the agencies will have to take on that financial burden.

To become in compliance with these policies will take major changes in the contracts and internal agreements between all of these agencies.

**4/6/18 Update:** San Diego Sheriff's met with all Janitorial companies' heads, county facility support manager and county counsel on Monday March 19<sup>th</sup>, 2018 to start discussions. It was decided that all companies would be able to accommodate online testing with DOJ NexTest for security awareness. All three vendors were given until April 2<sup>nd</sup>, 2018 to provide a list for all employees (Appx 700) email address and badge/Fingerprint expiration dates. We are currently in the process of verifying that we have received all email addresses and will be entering information into NexTest to send out to janitorial staff.

**5/25/18 Update:** We are currently in the process of setting up logistics for finger printing the approximately 312 current janitorial employees that have access to our buildings. We are working toward a completion goal date of December 31<sup>st</sup>, 2018.

**9/25/18 Update:** We are currently working on logistics to set up finger printing for janitorial staff within our department as well as finding funding to cover the complete the job of finger prints for over 300 janitors. We are still working on our completion goal date of December 31<sup>st</sup>, 2018.

**12/31/18 Update:** We have determined that we currently review all backgrounds before they are signed off to have unescorted access to Sheriff's facilities within the county. We are currently waiting to see what new contracts will be signed to work on the process to switch over finger printing to the Sheriff's Department. Not only will we have to work on changing policy within the Sheriff's Department we will need to have policy changed within the County of San Diego to reroute finger prints for janitorial staff. Once contracts have been awarded we can work to see what new companies we will be working with.

Update April 1<sup>st</sup>, 2019: We have determined that all Livescans/backgrounds are being reviewed/conducted by the Sheriff's Department prior to any janitorial staff receiving unescorted access to Sheriff Facilities. Currently State/Federal prints are run through the County of San Diego. When the county receives the completed prints they are printed out from the email and hand delivered to a Sheriff employee who reviews them and completes a background check on the employee. Once the applicant has been approved or denied the print results and a notice of approval or denial are then hand delivered back to the County to either move forward with the applicant or not. Once the employees have been approved for hire they are then routed to the Sheriff's ACC who will then set up CLETS training either online through NexTest or in person.

The problem we are currently running into is in regards to the fingerprints. The applicants must pay for their finger prints to be completed which is around \$55. If we switch the process over to having the finger prints done at the Sheriff's Department the County of San Diego also needs to see them in case they have to defend why someone wasn't hired due to background issues. Because DOJ will not allow us to release the print results to the County of San Diego to review if necessary we are put in a position which we may have to require the applicant to provide two different sets of prints at a cost of over \$100 for a minimum wage

position. The county and Sheriff's department already have a process in place for any rap back hits to immediately be shared with the Sheriffs Department for review and confirmation that the employee is still eligible for his access to the Sheriff's Department. Changing this process will mean the applicant will have to spend more money out of pocket, the county will have to amend contracts, change board policy, and possibly County policy. At this point we feel that we have meet all CJIS requirements with the exception of the finger prints going from one agency to another. Without the release of CLETS approved to share the results with the County of San Diego who hires these individuals it will mean extreme changes to make things work. If we are allowed to share RAP back information, we could start to change all janitorial staff over as they renew their backgrounds biannual at no additional cost to our department or the applicants.

**12/31/18 Update:** We have been granted a temporary extension from DOJ on the finger printing of Janitorial staff until September 1<sup>st</sup>, 2019, while DOJ reviews the rules/guidelines surrounding this issue at hand.

**Update 12/2/19:** As of today we have completed our janitorial finger prints/background review with the exception of new hires to our facilities or transfers. We have a process in place for this at this time and will continue to finger print all new hires and transferred employees within the required timelines.

3. **Security Awareness Training:** *The San Diego County Sheriff's Office does not provide level one of security awareness training to unescorted janitorial, custodial and/or maintenance staff.*

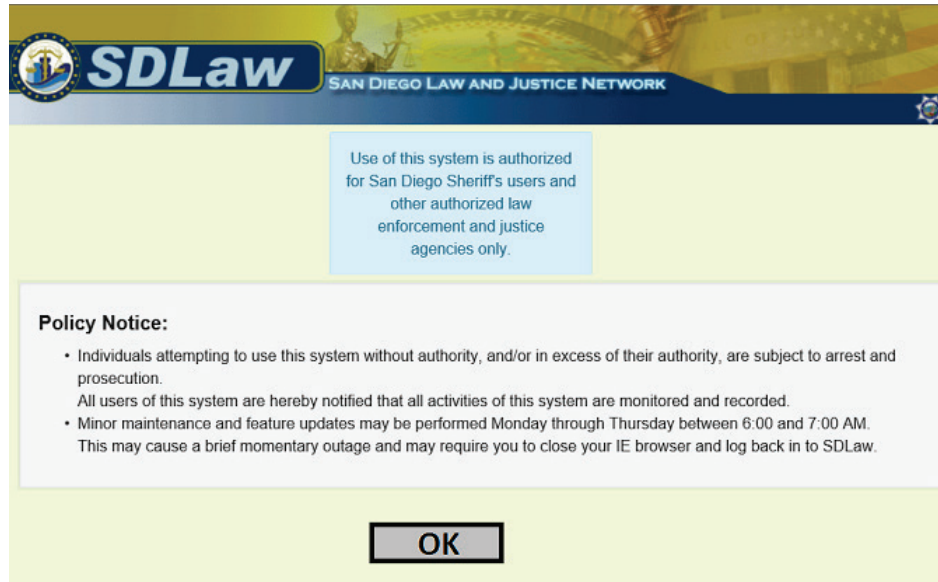
- a. IN PROGRESS: response listed in answer #2, security awareness training due date for all 312 employees.

**Completed 12/31/18:** All janitorial staff has completed security awareness training in NexTest and in person training for those that don't have access to computers.

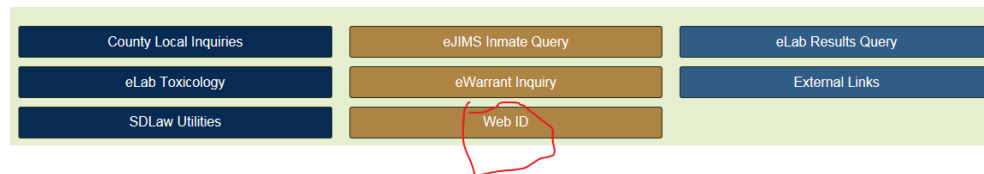
4. **System Use Notification:** *The San Diego County Sheriff's Office does not display an approved system use notification message on all information systems accessing CJI.*

- a. All systems with the exception of Web ID provide a system use notification. The only system listed out of compliance on the FBI audit was listed as the Web ID.

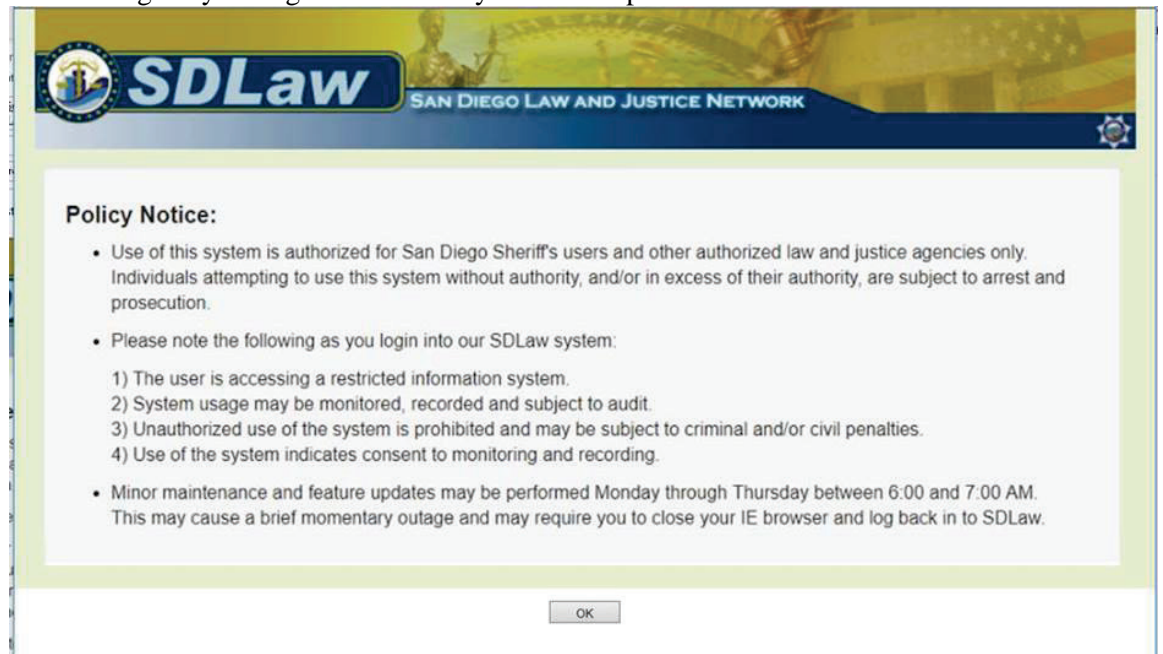
**Update May 26<sup>th</sup>, 2019:** Web ID is now being housed in the SDLaw program. Users will see this system use notification when they first log into SDLaw before accessing WebID.



Next they would click on the WebID application button:



After they have selected the WebID application button, before they can log into WebID they will be met with the system notification screen and it must be acknowledged by hitting OK before they are able to proceed:



Completed May 26<sup>th</sup>, 2019

1. **Identification/User ID:** *The San Diego County Sheriff's Office allowed IT personnel from WEB ID to use a single administrator account to access information systems that processed and stored CJI. Additionally, the San Diego County Sheriff's Office does not have a written policy to document the validation process of system accounts that access CJI.*
  - a. There is currently no single administration account; each administrator has a separate account. This portion has been completed as of 12/31/18.
  - b. Annual Validation procedures please see attached copy of P&P section 6.24 under Agency CLETS Coordinators responsibilities. This portion has been completed as of 5/26/19.

**Completed: May 26<sup>th</sup>, 2019**

2. **Personally Owned Information Systems:** *The San Diego County Sheriff's Office does not document the specific terms and conditions for the use of personally owned information systems to access, process, store or transmit criminal justice information (CJI).*
  - a. P&P Section 7.13 Sheriff Use and Support of Information Technology, specifically referring to section that states the following:
    - i. "The use of any personal and/or non-Sheriff issued and maintained equipment connected to any Sheriff's network and/or resource managed by Sheriff personnel is strictly prohibited."

**Completed: May 26<sup>th</sup>, 2019**

3. **Session Lock:** *The San Diego County Sheriff's Office does not initiate a session lock after a maximum of 30 minutes of inactivity on all information systems accessing CJI outside of a criminal justice conveyance or terminals used for dispatch functions.*
  - a. All systems with the exception of Web ID provide a session lock. The only system listed out of compliance on the FBI audit was listed as the Web ID.

**Update May 26<sup>th</sup>, 2019 :** WebID has been modified to meet CJIS guidelines to initiate a session lock after 30 minutes of inactivity.

**Completed: May 26<sup>th</sup>, 2019**

We have completed all of our administrative compliance issues. We appreciate the patience and understanding of DOJ while handling our last major issue of finger printing janitorial staff. Should you have any questions, please feel free to contact me at my desk (858) 565-3309.

Sincerely,

Jessica O'Leary, Agency CLETS Coordinator

JOL:jol