

California Law Enforcement Telecommunications System (CLETS)
Advisory Committee (CAC)
Meeting Minutes

September 16, 2014

Department of Justice, Sacramento

Present: Chair: Sam Spiegel (California Peace Officers' Association)

Members: Marc Shaw (California Peace Officers' Association)
Scott Marshall (California State Sheriffs' Association)
Cuong Nguyen (Department of Justice)
Scott Howland (California Highway Patrol)
Frank Alvarez (Department of Motor Vehicles)
Cynthia Renaud (California Police Chiefs' Association)

Absent: Larry Spikes (California Association of Counties)
Karen Wong (Office of Emergency Services)
Evert Palmer (League of California Cities)

CALL TO ORDER

Chair Spiegel called the meeting to order at 1 p.m.

ROLL CALL

CLETS Executive Secretary Keith Dann called roll; a quorum was present.

APPROVAL OF MINUTES

A motion was made to approve the minutes from the meeting of August 12, 2014.

Motion: Marc Shaw
Second: Scott Marshall
Discussion: None
Vote: Approved unanimously

**REVISION OF THE CLETS POLICIES, PRACTICES AND PROCEDURES (PPP),
ADDING SECTION 1.9.4**

Scott Howland asked whether, based on the PPP glossary, it was important to include a new Class distinction other than Class I, Class II or Class III for the ensuing Bureau of Indian Affairs (BIA) Office of Justice Services CLETS application. Chair Spiegel and Department of Justice (DOJ) Government Law Section Deputy Attorney General Anthony Hakl confirmed a new Class distinction was not necessary.

The California State Sheriffs' Associations' (CSAA) Legislative Counsel Aaron Maguire requested clarification on the last sentence of the proposed language. Specifically, was it the understanding of the Committee and the DOJ's Government Law Section counsel that the

language “deputized by a federal, state, or local law enforcement agency” would include officers holding a Special Law Enforcement Commission (SLEC). Chair Spiegel confirmed this was the understanding and added the word “deputized” was a generic adjective not necessarily germane to an auxiliary appointment by a Sheriff’s Department.

Chair Spiegel read into the record the proposed revision to the PPP, as follows:

“Section 1.9.4: Non-Federal, Non-State, and Non-Local Governmental Employees. 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 sections 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 CA DOJ.”

A motion was made to accept the revision as written.

Motion: Cynthia Renaud
Second: Cuong Nguyen
Discussion: None
Approved: Approved unanimously

NEW SERVICE APPLICATION

- a. CN-01 – U.S. Department of the Interior, BIA, Office of Justice Services
CLETS Administration Section manager Maria Cranston reported the BIA Office of Justice Services is responsible for the enforcement of applicable federal laws within the exterior boundaries of the Sycuan Indian Reservation and Sycuan property held in trust by the United States.

CLETS access from both mobile and fixed devices is requested using the San Diego County Sheriff’s Department’s direct interface, but the Automated Regional Justice Information System (ARJIS) Management Committee, a subcommittee of the San Diego Association of Governments, has approved access via ARJIS for the fixed devices for a one-year period beginning February 2014. If approved, the DOJ would follow up in November 2014 to determine if the approval continues to be for a limited duration or if ongoing access has been approved. The DOJ will continue to follow up monthly until a decision is made. Access is requested only for the BIA SLEC officers at Sycuan. Therefore, an originating agency identifier will be assigned to each SLEC officer. With the adoption of the proposed PPP language, the DOJ recommended approval.

Chair Spiegel inquired if there was any public comment before a vote. CSSA Legislative Counsel Aaron Maguire stated that with the adoption of the proposed PPP language, the CSSA has withdrawn its opposition to the BIA CLETS application.

Mendocino County Sheriff Tom Allman asked whether the approval of the BIA CLETS application and proposed PPP language would allow for local law enforcement agencies to disseminate CLETS-derived data to other BIA SLEC officers on tribal property within their counties.

DOJ Bureau of Criminal Information and Analysis Chief Julie Basco indicated there is a one-page form utilized when information from the CLETS is released to another. However, the DOJ's Government Law Section counsel confirmed further review was needed to determine if the scenario outlined by Sheriff Allman would be authorized under these new changes. Chair Spiegel asked staff to have an answer by the next CAC meeting, December 2, 2014.

A motion was made to approve the application.

Motion:	Scott Marshall
Second:	Cynthia Reneau
Discussion:	None
Vote:	Approved unanimously

With approval of the application, Chair Spiegel acknowledged the possible need for the PPP to be further tweaked as necessary, since the integrity of the CLETS system must be ensured, thus avoiding hacking and unauthorized access. He thanked Government Law Section counsel, the law enforcement associations, Olin Jones of the Attorney General's office, San Diego Sheriff Bill Gore and his Staff, DOJ staff and Martin Mayer, legal counsel for the CSSA, California Peace Officers' Association and California Police Chiefs' Association.

CAC DISCUSSION/OPEN FORUM/PUBLIC COMMENT

Stanislaus County Sheriff and CSSA President Adam Christianson thanked Colusa County Sheriff Scott Marshall for his more than 26 years of service and his participation on the CAC, on which he has served since 1997. Sheriff Marshall is scheduled to retire January 6, 2015.

Sycuan Tribal Police Department Chief Bill Denke called the approval of the BIA's application a historic day. He specifically thanked the collaboration of the San Diego County Sheriff's Department, law enforcement throughout the state, the Attorney General's office, the BIA and the CAC. BIA's Special Agent in Charge of California Carleen Fischer added similar comments.

NEXT CAC MEETING/ADJOURN

The next meeting will be held at 1 p.m. Tuesday, December 2, 2014, at the California Highway Patrol headquarters, 601 N. 7th Street, Sacramento. The meeting was adjourned at 1:29 p.m.