

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

Standing Strategic Planning Subcommittee (SSPS)

Meeting Minutes

November 21, 2013
Folsom Public Library

Present: Sam Spiegel (California Peace Officers' Association), Chris Emery (California Police Chiefs' Association), Ashish Kakkad (California State Sheriffs' Association), Julie Basco (Department of Justice (DOJ)), Tom Bruce (California Police Chiefs' Association Technology Committee)

Absent: Laurie Porcari (California State Association of Counties), Ed Kane (Department of Motor Vehicles), Rita Lugo (California Highway Patrol), Sherri Furniss (League of California Cities)

CALL TO ORDER

Chair Sam Spiegel called the meeting to order at 9:09 a.m.

ROLL CALL

CLETS Executive Secretary Keith Dann called roll; no quorum was present.

MEETING MINUTES

Since no quorum was present, no vote was taken to approve the minutes from the July 25, 2013 SSPS.

CHAIR'S REPORT

Chair Spiegel stated the majority of the meeting would be structured toward determining the responsibilities and potential of the SSPS and encouraged the audience to participate collaboratively, thereby strengthening the SPSS's recommendations to the CAC.

Chair Spiegel further noted that since technology has advanced so rapidly over the past several years that it's evolving even before a cellular user's contract expires, that audience members should take this into consideration during discussions and discussing future goals and recommendations. Correspondingly, he stated the use of mobile technology in the field is now a plausible law enforcement tool. Chair Spiegel stated that California's law enforcement agencies also feel strongly that the use of this technology should be a priority because it provides them with immediate access to critical law enforcement data, which increases the safety of officers in the field. It was noted the SSPS will continue to make recommendations to the CAC to encourage the use of mobile technology.

CLETS STRATEGIC PLAN

The CLETS Strategic Plan primary goals, last updated in 2009, were reviewed by the SSPS. SSPS member Julie Basco and CLETS Executive Secretary Keith Dann provided progress reports on each goal and subsequent discussion arose with the SSPS members regarding potential goals for the future.

Goal 1

Implement mobile technology for cite-and-release (arrest) processing to increase arrests received by DOJ by 30 percent, populate court calendars with arrest and verifying fingerprint information; complete arrest cycle and forward information to the Federal Bureau of Investigation (FBI); and allow courts to submit dispositions with fingerprints to positive link with the original arrest.

Result

SSPS member Julie Basco stated this goal was initially established to address the incompleteness of the State's criminal record repository when law enforcement agencies fail to report cite-and-release events. However, over the past few years, it was discovered that the problem isn't necessarily a lack of records related to cite-and-release, but missing dispositions related to district attorneys (DA) who decline to prosecute that results in incomplete criminal history. While non-reporting of cite-and-release still exists, it's not as prevalent as when the goal was developed.

CLETS Executive Secretary Keith Dann said this goal has not been accomplished and added that while mobile technology exists to process cite-and-release submissions, the DOJ has not pursued cite-and-release technology for mobile devices state-wide.

Goal 2

Create an arrest and disposition interface between the DOJ and the Administrative Office of the Court (AOC).

Result

CLETS Executive Secretary Keith Dann stated the arrest and disposition interface with the AOC is not feasible because it was dependent on successful implementation of the AOC's court management system, which never came to fruition.

Additionally, SSPS member Julie Basco pointed out that while the DOJ having an arrest and disposition interface with the AOC is not applicable at this time; the DOJ having a disposition interface with individual courts would be applicable. The DOJ currently receives about 1.6 million dispositions a year. Of which, 70 percent are electronically submitted. However, a large number of dispositions from the courts still arrive manually and a disposition interface with these courts would be beneficial to reduce the amount of labor-intensive manual processing.

Chair Spiegel stated that, perhaps in the next two years, the DOJ could implement a disposition interface pilot project with specific courts in three or four counties and then deploy it statewide.

Goal 3

Make a mobile device multi-modal for traffic citation generation and interface to traffic courts and the Department of Motor Vehicles (DMV).

Result

Though multi-modal mobile devices currently exist in the field, CLETS Executive Secretary Keith Dann said this goal has not been accomplished at the state level. SSPS member Chris Emery stated that the Folsom and Rancho Cordova Police Departments use Crossroads to interface with Sacramento County courts, but this system does not include fingerprints or photos. SSPS member Julie Basco stated the CHP uses e-tickets for traffic citations.

Goal 4

Transmit “Failure to Appear” bench warrants to DOJ and the FBI and have a fingerprint associated with the warrant for positive identification.

Result

CLETS Executive Secretary Keith Dann stated this goal has not been accomplished. SSPS member Julie Basco noted that “Failure to Appear” warrants are routinely transmitted to the DOJ and the results are entered into the Wanted Persons System; however, fingerprints are not associated with that process.

Goal 5

Interface juvenile arrest and disposition processing with individual county juvenile courts.

Result

CLETS Executive Secretary Keith Dann stated this goal has not been accomplished since its intent was to utilize multi-modal mobile devices as the means for arrest submissions. However, the DOJ does interface with the juvenile courts to receive dispositions. And, while certain counties sometimes do not send juvenile arrests based upon the agency’s decision, the DOJ does accept juvenile arrest submissions and adds them to the Automated Criminal History System.

Goal 6

Involve DAs to close the loop on cases (disposition) upon which no charges are ultimately filed.

Result

CLETS Executive Secretary Keith Dann stated this goal is actively being pursued by the DOJ’s Problem Resolution Unit staff through daily contact with the courts and DAs to obtain missing disposition information. SSPS member Julie Basco stated dispositions are accepted 24 hours a day and processed by over 50 staff members. This is a very labor-intensive process and ultimately, the DOJ still may be not in receipt of 100 percent of the dispositions. Approximately 3 years ago, DOJ conducted site visits to DAs offices throughout the State, which revealed that

for many cases for which DAs declined to prosecute, they did not provide a corresponding disposition to the DOJ. This left individuals with open arrests on their criminal offender record information (CORI), which results in delays when these individuals apply for a job or attempt to purchase a firearm since DOJ staff must attempt to locate the missing disposition(s). Further, the magnitude of the overall problem is difficult to ascertain because an open arrest on an individual's CORI doesn't indicate whether it was a law enforcement release, a decline to prosecute or if a disposition was never received. It was mentioned that anything the SSPS or CAC could do to help educate the DAs would be appreciated.

Goal 7

Support for field identification of high-risk targets, persons under investigation or deemed a possible threat to public safety.

Result

CLETS Executive Secretary Keith Dann stated this goal is currently being met. Mobile identification is being utilized in the field by many California counties. Fingerprint images are captured in the field on mobile devices, sent to the DOJ and then to the FBI to search the FBI's Repository of Individuals of Special Concern (RISC).

If the fingerprint images match an existing DOJ record, the DOJ provides the subject's name, the California Identification and Index (CII) number and a CII based photo via Cal Photo. If the fingerprint images match an existing FBI RISC record, a status flag is provided to the agency. CLETS Executive Secretary Keith Dann stated a number of California's counties, particularly in the southern region, utilize their record management systems (RMS) to retrieve additional information (including photos) to provide to the officer on the street.

Goal 8

Expand Cal-Photo's capability to share photos on a national basis; and, deploy facial recognition as an investigative tool.

Result

CLETS Executive Secretary Keith Dann stated the DOJ is not currently sharing photos on a national basis; however, the DOJ is developing an image warehouse, which will have facial recognition capability. The image warehouse will store photos submitted as part of an arrest event live scan submission, sex registration photos and local agency mugshots accessed via Cal-Photo.

SSPS member Julie Basco stated the National Law Enforcement Telecommunications System (NLETS) wants interstate transmission of DMV photos, though she is not aware of plans from NLETS or the FBI to create a national photo repository for DMV and/or mugshots. NLETS currently has a network allowing states to share photos, but they are not retained in any type of warehouse and currently, the DOJ does not participate.

Potential New Goals

1. Capture and share Global Positioning System based geospatial data on offenders statewide;
2. The DOJ to host a RMS for information sharing purposes;
3. The DOJ to provide increased outreach in the areas of reporting statistics and Agency CLETS Coordinator training. SSPS member Julie Basco stated that training and travel funds have been cut; therefore, the Business Managers Alliance might be an opportunity to provide additional information to the field. Other options: Webinars, where access can be obtained individually, simple, easy and at your own leisure.
4. Request that the CAC identify a potential sponsor for legislation to look at how license plate reader data is being used statewide as it relates to privacy issues. Chair Spiegel stated he did not feel this was the role of the CAC.

MEMBERS' REPORTS

- a. At the July 2013 SSPS meeting, SSPS member Julie Basco committed to providing a schematic of the state's message keys and the equivalent message keys used by the FBI, the National Crime Information Center and the NLETS to members so they could review the document and ascertain the current utility of the individual message keys. This document was provided at the meeting and members were asked to review and provide feedback to CAS analyst Wendy Welenofsky.
- b. DMV's Steve Yokoyama, sitting in for SSPS member Ed Kane, talked about the NLETS project and sharing of out-of-state photos. He stated the DMV is willing to look at participating in the program and noted this topic has been on ongoing discussion for years.
- c. Office of Emergency Services (OES) John Lemmon asked his agency's 911 Branch about their desire to use NLETS. They indicated there was little use, knowledge or desire. However, he will address this issue again with the OES Branch Director to determine if they have a need for out-of-state data via NLETS.

SSPS DISCUSSION/OPEN FORUM/PUBLIC COMMENT

Audience member Paul Drake noted that the DOJ previously performed CLETS criminal history searches for the Los Angeles Department of Children and Family Services (LADCFS) for the purpose of child placement and indicated LADCFS have approached his agency. Furthermore, he asked whether they should fingerprint all people to whom the children could potentially be released. Lastly, he indicated the LADCFS might seek legislation authorizing access to CLETS.

SSPS member Julie Basco stated since 1998, there has been tremendous debate on this issue and the DOJ has received 400 to 800 LADCFS requests for criminal history for these individuals on any given day. Additionally, it was noted that California statute requires these individuals to have fingerprint images sent to the DOJ within 10 days of the request.

NEXT SSPS MEETING/ADJOURN

The meeting was adjourned at 11:12 a.m. Chair Spiegel said the next SSPS meeting was tentatively scheduled for March 2014.

ACTION ITEMS

1. Since there was no quorum and no formal action could be taken, the meeting minutes will be emailed to each SSPS member separately in order to solicit recommendations on whether or not to pursue the 2009 CLETS Strategic Plan unachieved goals and/or the potential goals discussed in the meeting. The responses will then be consolidated and voted on at the next SSPS meeting.