

EXHIBIT 7 TO AMENDMENT 3

Attachment L - CLETS Management Control Agreement

**California
Law
Enforcement
Telecommunications
System**

**Policies,
Practices and
Procedures**
(and Statutes)



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CLETS POLICIES, PRACTICES and PROCEDURES

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1.0 LEGISLATIVE INTENT AND LAW

1.01 California Government Code – Chapter 2.5

California Government Code (GC) sections 15150 through 15167 state that the California Department of Justice (CA DOJ) shall maintain a statewide telecommunications system for the use of law enforcement agencies. Chapter 2.5 is quoted as follows:

**CHAPTER 2.5 CALIFORNIA LAW ENFORCEMENT
TELECOMMUNICATIONS SYSTEM
(CHAPTER 2.5 added by Stats. 1965, Ch. 1595)**

15150. *(a) It is the intent of the Legislature that the Department of Justice shall commence to operate under this chapter as soon as feasible, but until such time, the department shall continue to operate under Article 8 (commencing with Section 13240) of Chapter 2, Part 3, Division 3, Title 2 of this code, and Chapter 2 (commencing with Section 15100) of this part. Accordingly, the department shall not discontinue service to any connection point to which it is required to furnish services at state expense until it has made the determination, has given notice, and the notice period has elapsed, as provided in subdivision (b).*

(b) At such time as the Attorney General concludes that he can furnish service to one location in any county in compliance with the requirements of Section 15161, he shall so certify and shall send notice of such certification to each agency in the county connected with the state system. Thirty days after the sending of such notice, service to any connection point in the county other than the one location selected pursuant to Section 15161 shall no longer be at state expense. (Added by Stats. 1965, Ch. 1595.)

15151. *The maintenance of law and order is, and always has been, a primary function of government and is so recognized in both Federal and State Constitutions. The state has an unmistakable responsibility to give full support to all public agencies of law enforcement. This responsibility includes the provision of an efficient law enforcement communications network available to all such agencies. It is the intent of the Legislature that such a network be established and maintained in a condition adequate to the needs of law enforcement. It is the purpose of this chapter to establish a law enforcement telecommunications System for the State of California. (Added by Stats. 1965, Ch. 1595)*

15152. *The Department of Justice shall maintain a statewide telecommunications system of communication for the use of law enforcement agencies. (Added by Stats. 1965. Ch. 1595)*

15153. *The system shall be under the direction of the Attorney General, and shall be used exclusively for the official business of the state, and the official business of any city, county, city and county, or other public agency. (Added by Stats. 1965, Ch. 1595.)*

15154. *The Attorney General shall appoint an advisory committee of the California Law Enforcement Telecommunications System, hereinafter referred to as the committee, to advise and assist him in the management of the system with respect to operating policies, service evaluation, and system discipline. The committee shall serve at the pleasure of the Attorney General without compensation except for reimbursement of necessary travel expenses.*

Before requesting vendor proposals to implement the system, the committee shall prepare detailed technical system specifications defining all communications – handling parameters and making explicit in sufficient depth the goals of the system. (Added by Stats. 1965, Ch. 1595.)

15155. *The committee shall consist of representation of the following organizations:*

- (1) Two representatives from the Peace Officers' Association of the State of California.*
 - (2) One representative from the California State Sheriffs' Association.*
 - (3) One representative from the League of California Cities.*
 - (4) One representative from the County Supervisors Association of California.*
 - (5) One representative from the Department of Justice.*
 - (6) One representative from the Department of Motor Vehicles.*
 - (7) One representative from the Office of Emergency Services.*
 - (8) One representative from the California Highway Patrol.*
 - (9) One representative from the California Police Chiefs Association.*
- (Added by Stats. 1965, Ch. 1595; amended by Stats. 2014, Ch. 54)*

15156. *The Department of Justice shall provide an executive secretary to the committee. (Added by Stats. 1965, Ch. 1595.)*

15157. *The committee shall elect a chairman for a term to be determined by the committee. (Added by Stats. 1965, Ch. 1595.)*

15158. *The committee shall meet at least twice each year at a time and place to be determined by the Attorney General and the chairman. Special meetings may be called by the Attorney General or the chairman by giving at least 14 days' notice to the members. (Added by Stats. 1965, Ch. 1595.)*

15159. *All meetings of the committee and all hearings held by the committee shall be open to the public. (Added by Stats. 1965, Ch. 1595.)*

15160. *The Attorney General shall, upon the advice of the committee, adopt and publish for distribution to the system subscribers and other interested parties the operating policies, practices and procedures, and conditions of qualification for membership. (Added by Stats. 1965, Ch 1595.)*

15161. *The Department of Justice shall provide a basic telecommunications communications network consisting of no more than two relay or switching centers in the state and circuitry and terminal equipment in one location only in each county in the state. The system shall be consistent with the functional specifications contained in pages 75 to 79 of the Report of the Assembly Interim Committee on Ways and Means, Volume 21, Number 9, 1963-1965.*

These functional specifications summarize the needs of the peace officers for present purposes, but do not constitute technical specifications addressed to prospective suppliers of equipment and procedures. (Added by Stats. 1965, Ch. 1595.)

15162. *The system may connect and exchange traffic with compatible systems of adjacent states and otherwise participate in interstate operations. (Added by Stats 1965, Ch. 1595.)*

15163. *The system shall provide service to any law enforcement agency qualified by the committee which, at its own expense, desires connection through the county terminal. (Added by Stats 1965, Ch. 1595.)*

15164. *The system shall be maintained at all times with equipment and facilities adequate to the needs of law enforcement. The Committee shall recommend to the Attorney General any improvements of the system to meet the future requirements of the subscribers and to take advantage of advancements made in the science of telecommunications communications. The system shall be designed to accommodate present and future data processing equipment. (Added by Stats. 1965, Ch. 1595.)*

15164.1. *(a) The person designated as a county's "control agent" as defined by the policies, practices, and procedures adopted pursuant to Section 15160, or the chief officer of any other agency that has been granted direct access to the California Law Enforcement Telecommunications System under the provisions of this chapter, shall have sole and exclusive authority to ensure that the county's or other agency's equipment connecting to the California Law Enforcement Telecommunications System complies with all security requirements that*

are conditions of access to the California Law Enforcement Telecommunications System under the provisions of this chapter, or the policies, practices, and procedures adopted pursuant to Section 15160, and that the equipment complies with the county control agent's security policy. This authority shall include, but not be limited to, locating, managing, maintaining, and providing security for all of the county's or other agency's equipment that connects to, and exchanges data, video, or voice information with, the California Law Enforcement Telecommunications System under the provisions of this chapter, including, but not limited to, telecommunications transmission circuits, networking devices, computers, data bases, and servers.

(b) A control agent or chief officer may not exercise the authority granted in subdivision (a) in a manner that conflicts with any other provision of this chapter, or with the policies, practices, and procedures adopted pursuant to Section 15160. (Added by Stats. 2001, Ch. 34)

15165. *Any subscriber to the system shall file with the Attorney General an agreement to conform to the operating policies, practices and procedures approved by the committee under penalty of suspension of service or other appropriate discipline by the committee. (Added by Stats. 1965, Ch. 1595.)*

15166. *The director of General Services shall fix the charge to be paid by any state department, officer, board or commission to the Department of Justice. (Added by Stats. 1965, Ch. 1595.)*

15167. *In the case of a state agency, the charge shall be paid from the money available by law for the support of the state agency using the system. (Added by Stats. 1965, Ch. 1595.)*

1.1 PURPOSE AND SYSTEM DESCRIPTION

1.1.1 Purpose of the CLETS

Pursuant to GC section 15151, the California Law Enforcement Telecommunications System (CLETS) is an efficient law enforcement communications network available to all public agencies of law enforcement within the state. The CLETS will provide all law enforcement and criminal justice user agencies with the capability of obtaining information directly from federal and state computerized information files. For interstate access, see PPP section 1.5.5.

1.1.2 State-Provided Services

Pursuant to GC sections 15161-15163, the CA DOJ shall provide central switching equipment and sufficient circuitry from the switching center to one location in each county to handle law enforcement message traffic. Circuitry and terminal equipment to extend beyond, or other than, the CLETS termination point in each county will be provided by client agencies at their own expense.

1.1.3 Request for General Information

Requests for information concerning the general administration of the CLETS or notification of changes and additions to system equipment and facilities that affect the CLETS should be directed to the:

CLETS Administration Section
Department of Justice
P.O. Box 903387
Sacramento, CA 94203-3870
Telephone: (916) 227-3677
Facsimile: (916) 227-0696
E-mail address: CAS@doj.ca.gov

Other helpful information, publications and forms can be found on the California Law Enforcement Web (CLEW) at <http://clew.doj.ca.gov>.

1.2 THE CLETS ADVISORY COMMITTEE

1.2.1 Responsibilities of Committee

The responsibilities of the CLETS Advisory Committee (CAC) are defined in GC sections 15154 through 15164.

1.2.2 Subcommittees

The chair of the CAC may appoint subcommittees and/or workgroups to consider CLETS user qualifications, operating rules, policies and practices, and other matters as appropriate. These subcommittees may be either standing or ad hoc.

A Standing Strategic Planning Subcommittee (SSPS) shall be established to evaluate the legislative, user and technical environment of the CLETS to make timely recommendations to the CAC and perform or update planning functions or documents as directed by the CAC. The following work groups may be established under the direction of the SSPS: Administration, Technical and Legislation.

1.2.3 Committee Member Consultation

Under emergency conditions, the chair, through the CLETS Executive Secretary, may, without benefit of a formal committee meeting, consult individual committee members to expedite clarification of policy or procedure questions.

1.2.4 CAC Meetings

Pursuant to GC section 15158, the CAC shall meet at least twice each year. Alternates are not allowed for any member who is unable to attend a meeting.

1.3 QUALIFICATIONS FOR MEMBERSHIP IN THE CLETS

1.3.1 Eligibility for CLETS Service

GC section 15163 states, "The system shall provide service to any law enforcement agency qualified by the committee which, at its own expense, desires connection through the county terminal." A public agency or subunit thereof that performs law enforcement or criminal justice functions pursuant to a statute, ordinance or regulation and to which it appropriates more than 50 percent of its annual budget may apply for CLETS service. Participating agencies in the CLETS are referred to as a law enforcement agency, a criminal justice agency or a subunit of a public agency. A subunit is defined as a unit of a non-law enforcement public agency that performs the duties of a law enforcement agency, whose employees are peace officers, and the majority of its annual budget (more than 50 percent) is allocated to the administration of criminal justice.

1.3.2 Security Requirements

All agencies applying for CLETS access must adhere to the requirements established in the PPP and the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Security Policy (CSP). If access is granted, it is each agency's responsibility to ensure, on a regular basis, the requirements of the PPP and FBI CSP are reviewed to ensure the agency is still in compliance.

The policies can be found on the CLEW at <http://clew.doj.ca.gov>.

1.3.3 Applicant Request for Service

Agencies desiring access to the CLETS must submit an application through the County Control Agency/Direct Interface System Host, if applicable (refer to section 1.4 for description of County Control Agency/Direct Interface System Host).

- A. All applications for new service and any upgrade application that results in a policy change or utilizes technology that has not previously been approved by the CAC will be brought before the CAC. These applications are considered non-routine.
- B. Routine applications are defined as upgrade applications that utilize technology previously approved by the CAC. These applications will be approved by the CA DOJ. Any routine application with outstanding issues may be referred to the CAC on a case-by-case basis.

In the event a routine or non-routine application is denied, the CA DOJ shall provide the applicant agency with a written notice specifying all causes for denial. The applicant agency may file, within 30 days from the date of the notice of denial, a written request with the CA DOJ for reconsideration by the CAC. Such a request must include all arguments the applicant agency feels are relevant to a reconsideration of the application. The CA DOJ shall present the written request for reconsideration to the CAC at the next regularly scheduled CAC meeting. The CAC shall make the final decision. The CA DOJ shall provide the applicant agency with a written notice of the final decision.

1.3.4 Subscriber Agreement

All agencies participating in the CLETS must file a Subscriber Agreement signed by the agency head and submitted to the CA DOJ as required by GC section 15165. A new Subscriber Agreement (see Exhibit A) shall be updated when the head of the agency changes or immediately upon request from the CA DOJ.

1.3.5 Agency CLETS Coordinator (previously known as the Agency Terminal Coordinator)

Each CLETS subscribing agency must designate an Agency CLETS Coordinator (ACC) who serves as the coordinator with the CA DOJ on matters pertaining to the use of the CLETS, the FBI National Crime Information Center (NCIC), the International Justice and Public Safety Network (NIets) and the CA DOJ criminal justice databases and administrative network that the CLETS accesses. The ACC will be responsible for ensuring compliance with the CA DOJ/FBI policies and regulations including validation requirements, as well as facilitate the exchange of the CLETS administrative information between the CA DOJ and the ACC's agency.

The ACC's responsibilities shall be designated by the CA DOJ on an ACC Responsibilities Form (see Exhibit C). If an agency requests to have other than a permanent, full-time employee as its ACC, the CA DOJ must be notified in writing and will review the request. Any change in the ACC's designation must immediately be provided to the CA DOJ on the Change Request Form (see Exhibit B).

1.3.6 Security Point of Contact

Pursuant to the FBI CSP section 3.2.2 2e, each CLETS subscribing agency must designate a Local Agency Security Officer, hereinafter referred to as the Security Point of Contact (SPOC), who serves as the security coordinator with the CA DOJ on security matters pertaining to the

use of the CLETS, the NCIC, the Nlets and the CA DOJ criminal justice databases and administrative network that the CLETS accesses. Any information communicated between the CA DOJ and the SPOC will be shared with the agency's ACC.

The SPOC's responsibilities shall be designated by the CA DOJ on a SPOC Responsibilities Form (see Exhibit K). If an agency requests other than a permanent, full-time employee as its SPOC, the CA DOJ must be notified in writing and will review the request. Any change in the SPOC's designation must immediately be provided to the CA DOJ on the Change Request form (see Exhibit B).

1.4 THE CLETS INTERFACES

1.4.1 Connections

A CLETS connection may be obtained via three types of interfaces:

- A. County Control Agency – GC section 15161 requires the CA DOJ provide a basic telecommunications network consisting of no more than two switching centers in the state and circuits/equipment to provide service to one location only in each county in the state. This single direct interface in each county is referred to as the County Control Agency.
- B. Direct Interface System Host – An agency, other than the County Control Agency, opting to host CLETS service for other subscribing agencies is referred to as the Direct Interface System Host.
- C. Local Agency Direct Interface – An agency opting to interface directly to the CA DOJ for the CLETS, and not hosting other agencies, is referred to as a Local Agency Direct Interface.

The link between the above interfaces and the CA DOJ is the responsibility of the CA DOJ to manage, maintain and encrypt. Agencies that are utilizing the interfaces above are responsible for the integrity and security of the network segment that hosts the CLETS MSC. Pursuant to GC section 15164.1, the County Control Agent or chief officer of any other agency who has been granted direct access to the CLETS shall have sole and exclusive authority to ensure the equipment of the county or other agency connecting to the CLETS complies with all security requirements as required by the PPP.

1.4.2 Requirements for all Law Enforcement and Criminal Justice Agencies

All agencies accessing the CLETS, whether direct or indirect, are required to comply and adhere to the requirements established in section 1.3.2 of the PPP. It is each agency's responsibility to ensure the requirements are reviewed on a regular basis to guarantee compliance.

1.4.3 Requirements for Both County Control Agency and Direct Interface System Host

A. Role and Responsibilities

The County Control Agency/Direct Interface System Host serves as the CLETS host agency and establishes the requirements for access

through its message switching computer (MSC). It is the responsibility of the County Control Agency/Direct Interface System Host to review all new and upgrade applications to ensure compliance with section 1.3.2 of the PPP from agencies accessing the CLETS behind their respective MSC.

It is the responsibility of the host agency to inform its subscribing agencies of the following:

1. The type of circuitry and equipment necessary for access and how it can be obtained.
2. The type of services provided from the host MSC, in addition to the CLETS access, such as countywide databases or dispatching.
3. All fees that will be charged for CLETS service, equipment rental, line costs and any additional services.

The County Control Agency/Direct Interface System Host is required to train its subscribing agencies on how to utilize the CLETS to access databases via the hosting MSC and how to use preformatted screens, if provided by the host system.

B. Mnemonics

The County Control Agency/Direct Interface System Host will request additional terminal mnemonics or changes to database authorizations for all subscribing agencies behind its system.

1. The subscribing agency must submit a completed "Terminal Access Request Form" to the County Control Agency/Direct Interface System Host.
2. The MSC administrator for the County Control Agency/Direct Interface System Host will review the request to ensure it can be accommodated by the MSC, sign the request and forward it to the CA DOJ.
 - a. If the County Control Agency/Direct Interface System Host cannot accommodate the request, the subscribing agency has the following options:
 1. Wait until the County Control Agency/Direct Interface System Host can accommodate the request; or

2. Seek access via other means as identified in PPP section 1.4.1.
 - b. In the event the County Control Agency/Direct Interface System Host continuously is unable to fulfill its responsibilities in providing access, it shall be the responsibility of the CA DOJ, in consultation with the CAC, to seek immediate remedy in accordance with PPP section 1.4.7.

Upon completion of the CLETS terminal authorization changes, the CLETS Administration Section will advise the MSC administrator, who will program the MSC for the additional terminals or authorization changes and notify the subscribing agency.

1.4.4 County Control Agency

A. Role and Responsibilities

Pursuant to GC section 15163, CLETS service shall be provided to any law enforcement or criminal justice agency qualified by the CA DOJ which, at its own expense, desires connection through the county MSC. To administer this policy most effectively, a County Control Agency will be designated in each county to coordinate the connection of law enforcement and criminal justice agencies to the CLETS. The Sheriff's Office will serve as the County Control Agency unless the CA DOJ, in consultation with the CAC, indicates another law enforcement agency in the county is better qualified. The single point of entry into each county will be funded by the CA DOJ. Any additional points of entry to the County Control Agency will be at the agency's expense.

The County Control Agency is responsible for providing CLETS service via its MSC to all qualified CLETS subscribing agencies within their respective county. The cost of the service to subscribing agencies should not reflect more than the actual costs attributed to the MSC's functionality, including any and all hardware, software, interface modules and administrative costs incurred by the County Control Agency.

Any agency desiring to access the CLETS through a County Control Agency must forward the completed application to the County Control Agency which, in turn, will review the application and accompanying system diagram to determine:

1. Eligibility for CLETS service as identified in section 1.3.1 of the PPP.
2. Compliance with section 1.3.2 of the PPP
3. A need for CLETS service exists to support the normal activities of the applicant and, if facilities such as hardware ports and the physical computer room space are available at the CLETS point of entry into the county or adequate technology is available to serve the applicant. If the room capacity is inadequate or essential facilities are unavailable at the time of application, the County Control Agency will have one budget cycle, approximately 18 months, to accommodate the new subscriber.

Positive findings in these determinations will provide grounds for approval with the application. Negative findings in any of these

determinations may be grounds for withholding approval. In either event, the County Control Agency will attach a letter of intent and forward the completed package, along with comments, to the CA DOJ.

B. Upgrade Requirements

When a County Control Agency prepares for an upgrade, the upgrade design must include plans to accommodate all CLETS subscribing agencies with approved access behind their MSC, projected new terminals and any known future CLETS subscribing agencies. It is the responsibility of the County Control Agency to keep the CLETS Administration Section and all affected CLETS subscribing agencies informed in writing of any changes to their MSC by submission of a CLETS upgrade application and MSC/Users Costs and Requirements form (see Exhibit H).

1.4.5 Direct Interface System Host

A. Roles and Responsibilities

A local agency with a direct interface to the CLETS may provide a CLETS interface to requesting agencies. Agencies wishing to act in the capacity of a Direct Interface System Host do so at their own expense and through application to the CA DOJ.

The Direct Interface System Host is responsible for providing CLETS service to CLETS subscribing agencies hosted behind their system. The cost for services provided by the host agency to a subscribing agency will be by agreement between the involved agencies. The determination of whether to host an agency will be at the sole discretion of the Direct Interface System Host.

Any agency desiring to access the CLETS through a Direct Interface System Host must:

1. Provide written notification, no less than 60 days, to the current County Control Agency advising of the plans to change to a Direct Interface System Host, including projected dates, if applicable.
2. Forward a completed application to the Direct Interface System Host agency which, in turn, will review the application and accompanying system diagram for the same criteria as defined for the County Control Agency in PPP section 1.4.4.A.

After review of the application, the Direct Interface System Host will attach a letter of intent and forward the completed package to the CA DOJ. The completed application package should also include a copy of the letter of notification made to the existing host MSC, if applicable.

B. Upgrade Requirements

When a Direct Interface System Host agency prepares for an upgrade, the upgraded design must include plans to accommodate all of the CLETS subscribing agencies with approved access behind the host MSC, projected new terminals and any known future CLETS subscribing agencies. It is the responsibility of the Direct Interface System Host agency to keep the CLETS Administration Section and all affected CLETS subscribing agencies informed in writing of any changes to the host MSC by submission of a CLETS upgrade application and MSC/Users Costs and Requirements form.

C. Termination of Service Requirements

If the Direct Interface System Host wishes to terminate existing service to the subscribing agency, the Direct Interface System Host is responsible for providing CLETS access (under existing terms and conditions of their contract) until another service is available for the subscribing agency, not to exceed six (6) months.

If a subscribing agency wishes to terminate existing service with a Direct Interface System Host, the Direct Interface System Host shall be given sufficient notice and application shall be made for other CLETS access to the CA DOJ.

1.4.6 Local Agency Direct Interface

A. Roles and Responsibilities

Any agency wishing to access the CLETS through a direct interface to the CA DOJ may do so at its own expense and through application to the CA DOJ.

Any agency desiring to access the CLETS through a local agency direct interface must:

1. Provide written notification, no less than 60 days, to the current County Control Agency or Direct Interface System Host, advising

of the plans to change to a direct interface and include projected dates, if applicable.

2. Forward a completed application for a direct interface to the CA DOJ. The completed application should include:
 - a. A written justification for the direct interface.
 - b. A written agreement to pay for all circuitry and equipment used to obtain service from other than the normal state-provided interface. This is to include any and all hardware, interface modules and administrative costs incurred by the CA DOJ to provide a direct interface capability.
 - c. A copy of the letter of notification made to the current host MSC, if applicable.
 - d. A letter of agreement from the applicant's current CLETS access host, if applicable. The letter of agreement will state the applicant's access to the CLETS will continue through the current host MSC until applicant obtains and initiates direct access.

B. Upgrade Requirements

Once an agency has been approved for a direct interface, it is the agency's responsibility to keep the CLETS Administration Section informed in writing of any changes to the local CLETS interface. Upgrades to a local agency's existing direct interface computer system to the CLETS must be approved through application to the CA DOJ.

1.4.7 Local Agency Petitioning to Terminate Access through a Direct Interface or a Direct Interface System Host

A. Local Agency Responsibilities

A local agency with a direct interface to the CLETS or an interface through a Direct Interface System Host wishing to terminate such access and return to the resident County Control Agency CLETS connection must send a written request to the County Control Agency.

B. County Control Agency Responsibilities

The County Control Agency must provide a written recommendation to the CA DOJ within 60 days following the local agency's request. The recommendation shall include one of the following:

1. Recommend approval for immediate access; or
2. Recommend approval for access after a specified time frame.

If the county does not provide a written recommendation within 60 days of the request, recommendation to provide access to the CLETS through the County Control Agency will be considered applicable.

C. Direct Access Appeal

If a local agency petitioning to terminate a direct interface to the CLETS or an interface through a Direct Interface System Host is unable to gain access to the CLETS through the County Control Agency, the matter will be referred to the CA DOJ for review.

1.4.8 Removal of County Control Agency/Direct Interface System Host

In the event it becomes evident to the CA DOJ that an existing County Control Agency/Direct Interface System Host cannot fulfill its responsibilities for any reason, or if a County Control Agency fails to provide CLETS service to qualified applicants or users, it shall be the responsibility of the CA DOJ in consultation with the CAC to seek a remedy through coordination with the County Board of Supervisors or the City Council.

1.5 CONTRACTUAL AGREEMENTS

Any terminal, computer system or other equipment that has access to information from the CLETS, directly or indirectly, must be under the management control of a responsible criminal justice/law enforcement agency authorized by the CAC.

Copies of the CLETS-related contractual documents must be retained by the ACC of the CLETS subscribing agency for the duration of the life of the document.

1.5.1 Management Control Agreement

A. Public Agency

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

A signed Management Control Agreement must be received 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. If a terminal will be placed at a location other than the subscribing agency, an Interagency Agreement (see Exhibit E) will also be required.

A non-CJ agency may access CLETS equipment or information from the CLETS on behalf of the CLETS subscribing agency to accomplish specified services (such as dispatching, parking citations or data processing/information technology services), if such delegation is authorized pursuant to statute, ordinance, regulation or an agreement between agencies.

The performance of such delegated services by an otherwise non-CJ agency does not convert that agency into a public criminal justice agency, nor does it automatically authorize access to state summary criminal history information or to the CA DOJ/FBI criminal justice databases.

The CLETS subscribing agency will maintain responsibility for security control as it relates to the CLETS access. Security control is defined as the ability of the CLETS subscribing agency to set, maintain and enforce:

1. Standards for the selection, supervision and termination of personnel. This does not grant hiring/firing authority to the CLETS subscribing agency, only the authority to grant CLETS access to personnel who meet these standards and deny it to those who do not; and
2. Policies governing the operation of computers, access devices, circuits, hubs, boundary protection devices and other components that make up and support a telecommunications network and related CA DOJ/FBI criminal justice databases used to process, store or transmit criminal justice information, guaranteeing the priority, integrity and availability of service needed by the criminal justice community.

Security control includes, but is not limited to, the supervision of applicable equipment, systems design, programming and operating procedures associated with the development, implementation and operation of any MSC or database systems utilized by the served public law enforcement or criminal justice agency or agencies. Computer sites must have adequate physical security to protect against any unauthorized viewing or access to computer terminals, access devices or stored/printed data.

Additionally, it is the responsibility of the CLETS subscribing agency to ensure all non-CJ agency personnel accessing CLETS equipment or information from the CLETS meet the minimum background, training and certification requirements that are also imposed on the CLETS subscribing agency's staff. The minimum requirements are applicable also to staff having access to record storage areas containing information from the CLETS. The minimum requirements include, but are not limited to:

1. State and FBI fingerprint-based criminal offender record information search. See PPP section 1.9.2 for complete requirements.
2. Each individual must sign a CLETS Employee/Volunteer Statement form prior to operating or having access to CLETS computers, equipment or information. See PPP section 1.9.3.A for complete requirements.
3. All persons having access to DOJ/CLETS-provided information must be trained in the operation, policies and procedures of each file that may be accessed or updated. Training shall be provided only by a certified CLETS/NCIC trainer and must meet all CLETS training requirements per PPP section 1.8.2.

The CLETS subscribing agency has the responsibility and authority to monitor, audit and enforce the implementation of this agreement by the non-CJ agency.

Information from the CLETS is confidential and shall be used only for the purpose(s) for which it is authorized. Violation of confidentiality requirements or access authorizations may be subject to disciplinary action, civil action and/or criminal charges.

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

Exhibit D1 is a sample agreement that meets the CA DOJ and the FBI requirements. A management control agreement that is entered into by two or more agencies must incorporate the exact wording of the sample agreement, but may be expanded to meet other requirements of the participating agencies, so long as any expansion is not inconsistent with the language in Exhibit D1.

B. Private Contractor

The Private Contractor Management Control Agreement (see Exhibit D2) is required when a CLETS subscribing agency allows access to the CLETS equipment or access to record storage areas containing information from the CLETS to a private contractor to perform administration of criminal justice functions such as dispatching or data processing/information services. All requirements established in PPP section 1.5.1.A are applicable for private contractors.

In addition, all private contractors who are given authorized access to the CLETS equipment or information from the CLETS must abide by and sign the FBI CJIS Security Addendum. Vendors with remote access for testing and diagnostic purposes must also enter into a Management Control Agreement specific to their access.

1.5.2 Interagency Agreement for Placement of a CLETS Terminal

Subscribers to the CLETS may place a CLETS terminal with a governmental agency only under the following conditions:

- A. A statute, ordinance or regulation must exist that requires the governmental agency to perform a law enforcement-related function that necessitates receiving information from the CLETS.
- B. The heads of both agencies must sign an "Interagency Agreement," which states all the CLETS/NCIC policies and regulations will be adhered to by all parties involved (see Exhibit E).
- C. A copy of the statute, ordinance or regulation and the signed Interagency Agreement must be submitted to the CA DOJ for review and approval prior to the placement of a CLETS terminal.
- D. A terminal mnemonic address will be assigned to, and associated with, the CLETS subscribing agency's Originating Agency Identifier (ORI), and the CLETS subscribing agency assumes full responsibility and liability for all CLETS activities through the terminal. The receiving agency will be listed as the secondary location for the terminal.
- E. No terminal will be placed with the governmental agency until all conditions of this agreement are met.
- F. All persons of the governmental agency having access to information from the CLETS must complete the required fingerprint-based criminal offender record information search per PPP section 1.9.2.
- G. All persons having access to information from the CLETS must be trained in the operation, policies and procedures of each file that may be accessed or updated. Training can only be provided by the CLETS subscribing agency's certified CLETS/NCIC trainer and must meet all the CLETS/NCIC training requirements per PPP section 1.8.2.
- H. A CLETS subscribing agency may not place a terminal with another agency that meets eligibility requirements for CLETS service. Such an agency must complete an application for new CLETS service.
- I. A copy of this Interagency Agreement must be submitted to the CA DOJ to review for compliance and retention in the CLETS subscribing agency's file. The interagency agreement shall be updated when the head of the agency changes or immediately upon request from the CA DOJ.

1.5.3 Release of Information from the CLETS

The release of information from the CLETS or the NCIC from a CLETS subscribing agency is bound by the PPP, the FBI CSP sections 4.2 and 5.1.1.6 and the California Code of Regulations, Title 11, Division 1, Chapter 7, Article 1, section 703(b).

If an agency provides information from the CLETS to a non-CLETS subscribing agency, a Release of Information from the CLETS form (see Exhibit F) must be completed. A copy of this Release of Information from the CLETS form must be submitted to the CA DOJ to review for compliance and retention in the participant's file. The Release of Information from the CLETS form shall be updated when the head of the agency changes or immediately upon request from the CA DOJ. In addition to the completion of the form:

- A. All persons having access to information from the CLETS must complete the background and fingerprint-based criminal offender record information search as required per PPP section 1.9.2.
- B. All persons having access to information from the CLETS must be trained in the operation, policies and procedures of each file that may be accessed or updated. Training shall be provided only by a certified CLETS/NCIC trainer and must meet all the CLETS training requirements per PPP section 1.8.2.
- C. All subsequent requests for information by an agency with a current Release of Information from the CLETS form on file will be covered.

1.5.4 Reciprocity Agreement

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

The written agreement or letter of agreement shall be updated when the head of the agency changes or immediately upon request from the CA DOJ.

An agency may request and use Time Activated Message Forwarding (TAMF) if needed in the performance of these functions. (TAMF is further described in section 2.2 of the CLETS Operating Manual.)

1.5.5 Interstate Access

Pursuant to GC section 15162, the CLETS may connect and exchange traffic with compatible systems of adjacent states and otherwise participate in interstate operations. Adjacent state agencies subscribing to the CLETS must adhere to all CLETS policies and regulations.

An Interstate Access Agreement must be completed and submitted to the CA DOJ to review for compliance and retention in the CLETS subscribing agency's file. The Agreement shall be signed by the head of the adjacent state system agency and the CA DOJ.

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

1.6 SYSTEM RULES

System rules are designed to provide the most efficient operating system consistent with the needs of law enforcement. Adherence to the rules will ensure client agencies the maximum effectiveness of the CLETS. Violations of the PPP or the FBI CSP will result in an investigation and appropriate disciplinary action as determined by the CA DOJ, in consultation with the CAC.

1.6.1 Database Policies and Regulations

All users shall abide by all policies and regulations pertaining to the information from the CLETS. Procedures and message formats contained in user manuals must be followed exactly.

- A. Users must confirm the validity of the positive response on the record by contacting the entering agency prior to taking enforcement actions based solely on that record.
- B. Periodic driver license checks may be conducted on the CLETS subscribing agency employees where driving is a requirement of their job.
- C. Pursuant to the California Code of Regulations, Title 11, Division 1, Chapter 7, Article 1, section 707(c), every agency is required to keep a record of each release of criminal offender record information for a minimum of three years from the date of release. Detailed information regarding retention of information can be found in this code section.
- D. The CA DOJ Automated Criminal History System Prohibitions:
 1. In reference to U.S. Code, Title 18, section 922(G)(9), terminals are prohibited from accessing the CA DOJ Automated Criminal History System to enforce the provisions of Title 18 USC section 922(G)(9), which effects a lifetime firearms or ammunition prohibition for anyone convicted of a misdemeanor crime for domestic violence.
 2. Terminals are not authorized to access the CA DOJ Automated Criminal History System through the CLETS for licensing, certification or employment purposes, including pre-employment background investigations for sworn peace officers and/or law enforcement employees as specified in Penal Code (PC) section 830, et al; or for remotely accessing a record for review and/or challenge by the subject of a record.

Exceptions:

- a. Pursuant to Education Code sections 45125.5 and 35021.1, a law enforcement agency may agree to provide a school district or county office of education specific state summary criminal history information from the CLETS on a prospective non-certificated employee or non-teaching volunteer aide. If the law enforcement agency agrees to provide the state summary criminal history information, the results shall be returned to the requesting district or county office of education within 72 hours of the written request. The law enforcement agency may charge a fee to the requesting agency not to exceed the actual expense to the law enforcement agency. For purposes of this section only, a school police department may not act as its own law enforcement agency.
- b. Pursuant to PC section 11105.03, a law enforcement agency is authorized to furnish specific state summary criminal history information from the CLETS to a regional, county, city or other local public housing authority for screening prospective participants as well as potential and current staff. The only state summary criminal history information that can be released must be related to adult convictions for specific felonies or a domestic violence offense. Information released to the local public housing authority shall also be released to parole or probation officers at the same time, if applicable. For purposes of this section only, a housing authority police department may not act as its own law enforcement agency unless approved on an individual basis by the CA DOJ.
- c. Pursuant to the Code of Civil Procedures section 1279.5(e), the courts shall use the CLETS to determine whether an applicant for a name change is under the jurisdiction of the Department of Corrections and Rehabilitation or is required to register as a sex offender pursuant to PC section 290. If a court is not equipped with the CLETS, the clerk of the court shall contact an appropriate local law enforcement agency that shall determine whether the applicant is under the jurisdiction of the Department of Corrections and Rehabilitation or is required to register as a sex offender pursuant to PC section 290.
- d. Pursuant to PC section 11105.6, a law enforcement agency may access state summary criminal history information from the CLETS to notify bail agents if a fugitive has been convicted of a violent felony.

- e. Pursuant to Welfare and Institutions Code section 16504.5, county child welfare agency personnel conducting an investigation for the purposes described in this code section are entitled to state summary criminal history information from the CLETS by an appropriate governmental agency. Law enforcement personnel shall cooperate with the requests for the information and shall provide the information to the requesting entity in a timely manner.
- F. DOJ Automated Criminal History System allowances:
- 1. Staff of any law enforcement or correctional/detention facility may process online criminal offender record information inquiries on any visitor to such facility.
 - 2. A preliminary criminal offender record information search may be performed on any person prior to the approval as a “ride-along” with a law enforcement officer, provided that person is not an employee of the law enforcement agency.
 - 3. In reference to California Penal Code Section 13202, access to the DOJ Automated Criminal History System is allowed for law enforcement statistical or research purposes only upon approval by the CA DOJ.

1.6.2 Terminal Mnemonics

A. Static

The term “static” refers to a one-to-one relationship between a mnemonic and a device.

Each CLETS terminal shall have its own unique four-character mnemonic. All the CLETS subscribing sheriffs and police departments must have at least one fixed CLETS terminal with authorization to receive administrative message traffic, unless that agency has an All Points Bulletins Waiver/Release of Liability form on file with the CA DOJ. Message traffic for that terminal must directly terminate at a printer or to a queue of a terminal staffed 24 hours a day/seven days a week. All fixed CLETS terminals receiving hit confirmation requests or locate messages must directly terminate such messages at a printer or to a queue of a terminal staffed 24 hours a day/seven days a week. The CLETS terminal/printer combinations shall have only one mnemonic assigned to the

combination, except where a printer may be shared by several terminals.

B. Mnemonic Pooling

Mnemonic pooling is the ability for a mnemonic to represent more than one device and allows a mnemonic to represent a class of users, devices, applications, etc. Mnemonic pooling is only allowed upon approval by the CA DOJ.

A subscribing agency that wants to implement mnemonic pooling must submit an application for mnemonic pooling to the CA DOJ for approval. The form and content of the application will be prescribed by the CA DOJ. All information and requests should be directed to the address listed in PPP section 1.1.3.

1. Mnemonic pooling requires the following:

- a. The agency must establish an Access Control Point (ACP) to control the dynamic allocation of mnemonics. The ACP shall provide user authentication and auditing of mnemonics.
- b. The ACPs are required to record all information pertinent to the establishment and maintenance of a connection. Appropriate log entries must be maintained to allow subsequent review of activities that might modify, bypass or negate security safeguards controlled by the computer system and review of how the ACP handled serious violations.
- c. The ACPs must log all traffic. The log entries must be maintained for three years to allow subsequent review of all traffic received, whether delivered or not; determine how all traffic was handled; determine when, by date and time, all traffic receipts and deliveries occurred; and determine the individual or the device that received the deliveries.
- d. Information must be captured and be retrievable from journals maintained by the local switch for three years.
- e. The ACP will automatically transmit the User ID in the Operator Identification Field (OIF) with the CLETS message (see PPP section 1.6.7) and the terminal address in the Terminal Address Field (TAF), if provided (see PPP section 1.6.8).

- f. Unsolicited messages cannot be delivered to a pooled mnemonic unless there is a defined destination, such as a printer.

Refer to the separate *Mnemonic Pooling Technical Requirements* document for additional technical information about mnemonic pooling.

Each agency must maintain a list of where each terminal is currently located. Such list shall reside with the designated ACC and must be available for the CA DOJ or the FBI inspections. The CA DOJ or the FBI staff must be allowed access to any CLETS terminal at any time for audits or other on-site inspections.

Any terminal mnemonic that remains inactive for nine months will be deleted from the CLETS. Inactive mnemonics information will be made available to agencies 90 days prior to deletion.

1.6.3 Audits and Inspections

Periodic unannounced site inspections and scheduled audits may be performed by the CA DOJ or the FBI to ensure compliance with CA DOJ/FBI policies and regulations.

Authorized personnel performing inspections or audits shall have access to review and/or inspect case files and any records identified in the inspection/audit process, excluding active investigations or cases. The agency being inspected shall produce such records.

1.6.4 Confidentiality of Information from the CLETS

Only authorized law enforcement, criminal justice personnel or their lawfully authorized designees may use a CLETS terminal. Any information from the CLETS is confidential and for official use only. Access is defined as the ability to hear or view any information provided through the CLETS.

It is required that each employee/volunteer sign an employee statement form prior to operating or having access to CLETS terminals, equipment or information. This form addresses confidentiality, release and misuse of information from the CLETS (see Exhibit I for a sample form).

- A. Information from the CLETS is on a “right-to-know” and “need-to-know” basis.

- B. Authorized personnel shall not inquire into their own record or have someone inquire for them.
- C. Accessing and/or releasing information from the CLETS for non-law enforcement purposes is prohibited, unless otherwise mandated, and is subject to administrative action and/or criminal prosecution.

1.6.5 Administrative Messages

Administrative messages should be as brief and concise as possible while still conveying the desired information. Messages must conform to the examples illustrated in Chapter 2, Administrative Messages, and in Chapter 7, All Points Bulletins, of the *CLETS Operating Manual*.

1.6.6 Local/Wide Area Networks – Definition and Requirements

A Local Area Network (LAN) or a Wide Area Network (WAN) is that portion of the hardware and software that is designed to pass intra-LAN, city/county data and CLETS messages direct to the CLETS or through the local MSC. For CLETS purposes, a system with LAN characteristics will be considered a LAN. With myriad LAN/WAN products available to law enforcement today, the following specifications are required for those systems connected to the CLETS:

- A. A LAN/WAN system upgrade application and diagram shall be submitted to the CA DOJ. The application package shall include standards, protocols, operating systems, servers, the type of security and how it is being used.
- B. Each LAN/WAN workstation and/or communication server shall have an auditable address assigned as a CLETS mnemonic. No random selection or pooling of the CLETS mnemonics is allowed unless a mnemonic pooling alternative has been approved for implementation.
- C. All CLETS messages transmitted through a host system shall contain the four-to-10 alphanumeric character supplemental header plus the extended headers with the Operator Identification Field (OIF) (see PPP section 1.6.7) and a Terminal Address Field (TAF), if used (see PPP section 1.6.8).
 - 1. LANs using Transmission Control Protocol/Internet Protocol (TCP/IP) can transmit the Internet Protocol (IP) and Media Access Control (MAC) addresses, if available, in the TAF as referenced in PPP section 1.6.8.B.

2. All LAN-based terminals, regardless of the type of protocol used, should transmit an address equivalent to the MAC. If an IP address is not used or is not available, the MAC address should appear in the first six characters of the TAF. If neither is available, some other uniquely identifying information should be provided.
- D. Non-law enforcement and non-criminal justice agency terminals connected to the LAN/WAN must be prohibited from accessing information from the CLETS unless authorized by contractual agreements as specified in PPP section 1.5.

1.6.7 Operator Identification Field (OIF) Requirements

All MSC, Computer Aided Dispatch (CAD) systems and LAN/WAN systems must transmit a unique User ID as an extension of the four-to-10 alpha-numeric character supplemental header. The OIF is located after the supplemental header, separated by a period, identified by an asterisk, composed of six alpha-numeric characters and terminated by a period.

- A. Each person authorized to store, process and/or transmit information from the CLETS shall be uniquely identified with a User ID and password. The User ID can take the form of a name, badge number, serial number or other unique number.
- B. Each terminal operator must log on with his or her unique User ID and password and is accountable for all transactions transmitted under that User ID and password. The User ID must be stored by the local MSC/CAD/LAN/WAN or other host server, be available for retrieval and be consistent with journal requirements. User IDs are to be unique to each individual and not reassigned unless there is at least a six-month period between each use.
- C. The local host server will automatically transmit only the User ID with each message transaction to the CLETS in the OIF.
- D. The CLETS will accept the operator identification information and store the data in the CLETS journal records.

1.6.8 Terminal Address Field (TAF) Requirements

All MSC systems, CAD systems and LAN/WAN systems should transmit a TAF. The TAF is a six to 18-character variable length field following and separated from the OIF by a period, identified by a number sign and terminated by a period.

- A. How the TAF is used depends on the method of identification the agency wishes to use.
- B. LANs using TCP/IP can transmit the IP and MAC addresses in the TAF.
- C. If neither an IP nor a MAC address is available, the information used by the agency to uniquely identify the terminal should be entered.

1.7 SYSTEM DESIGN AND ENHANCEMENT STANDARDS

1.7.1 Message Switching Computer (MSC) Definition and Requirements

An MSC is that portion of the hardware and software solely designed to pass through transactions to and from the CLETS. MSCs shall be maintained with a 98 percent availability and uptime measured over a continuous 12-month period, including all (scheduled and unscheduled) downtime.

- A. All direct interface MSCs shall record all transactions to and from the CLETS in their entirety on an automated log or journal and shall have the capability to search and print all journals for a three-year period. The journals shall identify the User ID log-on and the authorizing agency on all transactions. Access to the journals must be highly controlled. Criminal history transactions on the journals that also identify the requester and secondary recipient shall meet criminal offender record information audit requirements. A secondary optional field located after the text should be used to identify a requester other than the CLETS terminal operator.
- B. All MSCs interfaced with the CLETS must follow the requirements adopted by the CA DOJ and the FBI CSP covering such interfaces.

1.7.2 MSC Design

All MSCs planning to upgrade or relocate must formally advise the CA DOJ at least 90 days in advance of the move with the new address, planned move/implementation date and whether test lines and terminal mnemonics are required.

1.7.3 System Upgrade

An upgrade consists of any installation, replacement or planned enhancement that has a direct impact on the CLETS by a directly or indirectly connected host server of a CLETS subscribing agency.

- A. The subscribing agency shall forward a completed upgrade application to the County Control Agency/Direct Interface System Host for review and recommendation (see PPP sections 1.4.3 and 1.4.4). The County Control Agency/Direct Interface System Host shall send the application along with comments to the CA DOJ.
- B. An electronic one-page, no longer than legal size, color network configuration diagram is required with all upgrade applications and must include the subscribing agency's entire network that accesses the CLETS and all other networks and users connected to the network.

The diagram shall identify the following, if applicable:

- agency name, county, and date
- the path of all CLETS traffic, both fixed and mobile, from the subscribing agency to the CA DOJ;
- all systems (e.g., RMS, CAD, MSC, etc.);
- each individual network (e.g., City, County, etc);
- physically secured locations (indicate encryption, boundary protection devices and the controlling agency);
- public network segments used to transport CLETS traffic;
- Internet access that exists within the network (indicate boundary protection devices and the controlling agency);
- wireless access (e.g., satellite, microwave, wi-fi, cellular, etc.)
- all points of encryption and decryption;
- remote and dial-up access and by whom it will be accessed (e.g., employee, vendor, etc.)
- two-factor authentication (wireless access and non-physically secured locations)

- C. An upgrade application submitted by a County Control Agency must include an MSC/Users Costs and Requirements form (see Exhibit H). The County Control Agency must certify that each of the CLETS subscribing agencies behind their interface is informed of all costs and/or requirements, if any, associated with the upgraded system (e.g., costs using a specified formula and listing cost ranges, specific equipment, county database access and cost, etc.). This information should be advanced to all affected agencies approximately 18 months prior to production for budgeting and planning purposes.

1.7.4 MSC Test Lines

An agency upgrading its system may need to conduct testing prior to production implementation. Once an upgrade application has been approved by the CA DOJ, the agency must request a test line and any test mnemonics in writing from the CA DOJ. During the testing period of a new or upgraded system, the agency is responsible for the line, equipment (modems, line drivers, etc.) and installation costs. Testing of upgraded equipment shall not exceed one year unless by written consent of the CA DOJ.

The CA DOJ will assume line and equipment costs when the system begins production for County Control Agencies only and at such time as the previous CA DOJ provided interface is disconnected. Upon production, the County Control Agency is responsible for sending a letter to the CA DOJ requesting the test line and test mnemonics be deleted and that charges be transferred to the CA DOJ. Copies of the latest bills shall be included with this request.

1.8 TRAINING

1.8.1 System Training

Agencies with host systems are responsible for training their local users on how to access the MSC and the use of pre-formatted screens.

1.8.2 Database Training

Training in message formats for access to information in the CA DOJ criminal justice databases, the NCIC, the Nlets, the Department of Motor Vehicles (DMV) and the Oregon Law Enforcement Data System (LEDS) is the responsibility of the CA DOJ. Training will be accomplished according to the following:

- A. It is the responsibility of all city, county, state and federal agencies that use information from the CLETS to participate in the CA DOJ's training programs to ensure all personnel (i.e., terminal operators, peace officers, investigators, clerical, agency management/supervisors, etc.) are trained in the operation, policies and regulations of each file that is accessed or updated. Training shall be provided only by the CA DOJ's training staff or another certified CLETS/NCIC trainer.

Specifically, the training requirements are as follows:

1. Initially (within six months of employment or assignment), 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.
2. Biennially, 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.

3. Maintain records of all training, testing and proficiency affirmation. Training records, written or electronic, shall identify the employee'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 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.
 4. Initially (within six months of employment or assignment), 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.
 5. Make available appropriate training on the CLETS/NCIC system for criminal justice practitioners other than sworn personnel.
 6. All sworn law enforcement personnel and other practitioners should be provided with continuing access to information concerning the CLETS/NCIC systems, using methods such as roll call and in-service training.
 7. Provide peer-level training on the CLETS/NCIC system use, regulations, policies, audits, sanctions and related civil liability for criminal justice administrators and upper-level managers. Training is accomplished by reviewing and signing for the NCIC "Areas of Liability for the Criminal Justice Information System Administrator" packet.
- B. To ensure compliance with this training mandate, the CA DOJ is responsible for monitoring the ongoing training provided to law enforcement personnel. On-site visits, including classroom observation and review of training records, may be conducted by CA DOJ staff.

1.8.3 Security Awareness Training

Security and awareness training shall be required for all personnel who have direct or indirect access to CLETS systems and shall meet the requirements specified the FBI CSP section 5.2.

1.9 OPERATIONAL CONTROL, OVERSIGHT and COMPLIANCE RESPONSIBILITY

Statewide operational control and system supervision shall be under the direction of the CA DOJ. Monitoring of traffic for conformity to policies, regulations and recommendations for corrective actions shall also be the responsibility of said personnel. At the discretion of the agency head, vendors may remotely access the CLETS for testing and diagnostic purposes only.

Agencies with systems interfacing with or to the CLETS shall assist the CA DOJ in overseeing new and upgrade application hardware, software and security of the terminals connected to the computer system for compliance with the PPP and FBI CSP.

1.9.1 Information Technology (IT) Security Incident Response Reporting

Agencies shall immediately notify the CA DOJ of the terminal mnemonic and ORI whenever a terminal is suspected of being stolen or misplaced.

Agencies shall immediately notify 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 CLETS IT Security Incident Response Form (reference Exhibit M).

1.9.2 Background and Fingerprint-Based Criminal Offender Record Information Search

- A. All persons, including non-criminal justice, volunteer personnel and private vendor technical or maintenance personnel with physical access to the CLETS equipment, information from the CLETS or to criminal offender record information, are required to undergo a background and fingerprint-based criminal offender record information search pursuant to the California Code of Regulations, Title 11, Division 1, Chapter 7, Article 1, subsections 703(d) and 707(b).
1. Where CLETS access is available without criminal offender record information, all persons, including non-criminal justice and private vendor technical or maintenance personnel, accessing areas where the CLETS equipment or information from the CLETS is located are required to undergo a background and fingerprint-based criminal offender record information search.
 2. Pursuant to the FBI CSP section 5.12, if the fingerprint-based criminal offender record information search reveals a felony conviction of any kind, CLETS/NCIC access shall not be granted.

If it is revealed that the person appears to be a fugitive or has an arrest history without conviction for a felony, the agency head or his/her designee will review the matter and decide if CLETS access is appropriate.

3. Visitors to a computer center, such as a tour group where the computer center has criminal offender record information access, are not required to undergo a background and fingerprint-based criminal offender record information search. They must, however, be escorted at all times.
 4. The final responsibility for maintaining the security and confidentiality of criminal justice information rests with the individual agency head or administrator.
- B. Personnel authorized terminal access to the CLETS may be sworn law enforcement or criminal justice personnel, non-sworn law enforcement or criminal justice personnel, volunteer personnel and private vendor technical or maintenance personnel who have been subjected to a security clearance to include the following checks:
1. A CA DOJ fingerprint-based criminal offender record information search.
 2. An FBI fingerprint-based criminal offender record information search.
 3. Additionally, the CA DOJ criminal justice databases may be accessed for background investigation of law enforcement and criminal justice employees, with the exception of the Automated Criminal History and Mental Health Firearms Prohibition Systems.
- C. Personnel shall not operate or have access to CLETS terminals, equipment or information until a background and fingerprint-based criminal offender record information search is completed and approved by the agency head. Following approval of the completed investigation, a memorandum or other notation should be placed either in the employee's personnel file or in another pertinent file indicating authorization has been granted.

Suitability for CLETS access following the completed background and fingerprint-based check criminal offender record information search is at the discretion of the agency head. In all matters pertaining to personnel security, the agency head will be responsible for making the final determination of the individual's suitability for the job.

1.9.3 User Access

- A. It is required that each employee/volunteer sign an employee/volunteer statement form prior to operating or having access to the CLETS terminals, equipment or information. It is recommended that each employee/volunteer sign an employee/volunteer statement form on a biennial basis. Additional requirements may be added at an agency's discretion. Any addition cannot negate the intent of the Employee/Volunteer Statement Form. (See Exhibit I for a sample Employee/Volunteer Statement form.)
- B. When a person with access to the CLETS is no longer employed or no longer accessing the CLETS on behalf of law enforcement or a criminal justice agency, the agency is responsible for removing all related passwords, security authorizations, tokens, etc., from the system.

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 CADOJ.

1.10 SYSTEM DISCIPLINE/APPEAL PROCESS

Pursuant to GC 15154, the CA DOJ is responsible for overseeing system discipline with the assistance of the CAC. Messages/transactions processed through the CLETS shall be subject to random sampling by the CA DOJ, or its designee(s), for validity of content and conformity with CLETS policies and regulations.

1.10.1 System Misuse

- A. Violation of the PPP shall be investigated by the agency head or his/her designee and reported to the CA DOJ.

The agency head or his/her designee shall investigate the incident of system abuse by reviewing its internal processes and documentation. In the event the agency head requires assistance from the CA DOJ in conducting a journal search of the CLETS transactions, a written request on agency letterhead, signed by a supervisor or agency head, shall be submitted to the CA DOJ. Any information as a result of the journal search will be provided to the agency head in writing. The agency head shall return an assessment of the investigation and statement of corrective action to the CA DOJ.

If the reported explanation and corrective actions resolve the problem, the investigation and results will be reported to the CAC by the CA DOJ.

If the reported explanation and corrective actions do not resolve the problem to the satisfaction of the CA DOJ, the head of the agency may be requested to appear before the CAC to explain the incident.

Unresolved incidents shall be presented to the CAC by the CLETS Executive Secretary. The CAC will recommend a course of action or sanction to apply. The CA DOJ will issue a letter formally notifying the agency of the decision.

- B. In the event of a violation of law or the PPP results in system misuse, the CA DOJ with a recommendation from the CAC will take appropriate action such as:
1. Letter of censure;
 2. Suspension of service – This may be for varying lengths of time and/or may include suspension for a specified database or other system services; and/or

3. Removal of CLETS service.

- C. In the event the agency is scheduled to report to the CAC under the provisions of PPP section 1.10.1.A, the agency head shall have a minimum of two weeks' notice prior to the meeting. All pertinent information shall be made available to the agency head to assist the agency in preparing to address the issue.

If a sanction is recommended by the CAC, the effective date of the action shall be 10 working days. The 10-day notice can be waived if extraordinary circumstances exist.

If the agency head chooses to appeal the action, the request for review or reconsideration shall be forwarded to the Attorney General within 10 working days from the date of the action. If no such request is received within that time frame, the action shall be considered final.

- D. All CLETS subscribing agencies shall submit a report to the CA DOJ on the number of investigations performed related to the CLETS misuse, and any disciplinary action taken. This report will be submitted by February 1 of each year for the preceding calendar year. This information will be submitted on the CLETS Misuse Investigation Reporting form (reference Exhibit J).

1.10.2 Discontinuance of CLETS Service

The CA DOJ or the subscriber may, upon 30 days' written notice, discontinue service.

State of California
 Department of Justice
 Attn: CLETS Administration Section
 P.O. Box 903387
 Sacramento, CA 94203-3870
 (916) 227-3677
 (916) 227-0696, fax
 E-mail: cas@doj.ca.gov

ORI # _____

County _____

THE CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM
SUBSCRIBER AGREEMENT

In accordance with Section 15165 of the Government Code, it is hereby agreed that

 (Name of Agency or Organization)

hereinafter referred to as Subscriber, as a Subscriber to the California Law Enforcement Telecommunications System (CLETS), will conform to the operating policies and regulations of the California Department of Justice (CA DOJ) and the Federal Bureau of Investigation (FBI).

It is further agreed by the Subscriber that, to receive such criminal history information as is available in the FBI files and in the CA DOJ files, the Subscriber agrees to abide by all rules and policies of the FBI as approved by the National Crime Information Center (NCIC) Advisory Policy Board. The Subscriber also agrees to adhere to all rules and policies of the National Law Enforcement Telecommunications System. No private entity shall be authorized to access the CLETS, nor shall the CLETS be used on behalf of a private entity for purposes of parking citation enforcement.

It is understood by the Subscriber that violation of these policies and regulations may result in suspension of service or other appropriate disciplinary actions as determined by the CA DOJ, with recommendation from the CLETS Advisory Committee.

The CA DOJ reserves the right to immediately suspend furnishing criminal offender record information to the Subscriber when either security or dissemination requirements are violated.

It is understood by the Subscriber that it is the responsibility of all city, county, state and federal agencies that use information from the CLETS to participate in the CA DOJ's training programs to ensure all personnel (i.e. terminal operators, peace officers, investigators, clerical, agency management/supervisors, etc.) are trained in the operation, policies and regulations of each file that is accessed or updated. Subscriber understands that training shall be provided only by the CA DOJ's training staff or another certified CLETS/NCIC trainer. Periodic unannounced site inspections may be performed by the CA DOJ to ensure compliance with the criminal offender record information regulations and CA DOJ policies.

(continued)

Agency Name: _____**ORI #:** _____

It is further agreed by the Subscriber that the following training requirements will be followed:

1. Initially (within six months of employment or assignment), train, functionally test and affirm the proficiency of all terminal (equipment) operators (full access/less than full access) by the completion of a Proficiency Examination (or facsimile thereof) to ensure compliance with the CLETS/NCIC policies and regulations.
2. Biennially, provide functional retesting and reaffirm the proficiency of all terminal (equipment) operators (full access/less than full access) by the completion of a Proficiency Examination (or facsimile thereof) to ensure compliance with the CLETS/NCIC policies and regulations.
3. Maintain records of all training testing and proficiency affirmation. An individual computerized or written log must be maintained on each full access operator. Such logs may be destroyed three years after the operator is separated from the agency. Training records for less than full access operators, practitioners, administrators and other sworn/non-sworn law enforcement personnel shall be maintained on a computerized or written group log. Less than full access operator group logs shall be retained indefinitely by the agency. The examinations may be discarded upon entry of the required information in the appropriate log.
4. Initially (within six months of employment or assignment), all sworn law enforcement personnel must receive basic training in the CLETS/NCIC policy and regulations.
5. Make available appropriate training on the CLETS/NCIC system use for criminal justice practitioners other than sworn personnel.
6. All sworn law enforcement personnel and other practitioners should be provided with continuing access to information concerning the CLETS/NCIC systems, using methods such as roll call and in-service training.
7. Provide peer-level training on the CLETS/NCIC system use, regulations, policies, audits, sanctions and related civil liability for criminal justice administrators and upper-level managers.

Either the CA DOJ or the Subscriber may, upon 30 days' notice in writing, discontinue service. This Subscriber Agreement shall be renewed when the agency head changes or immediately upon request of the CA DOJ.

Agency Head – Type or Print

Title – Type or Print

Agency Head Signature

Date

CHANGE REQUEST

California Department of Justice
 CLETS Administration Section
 P.O. Box 903387
 Sacramento, CA 94203-3870

Telephone: (916) 227-3677
 Fax: (916) 227-0696
 E-mail: CAS@doj.ca.gov

Agency Name	ORI Number	
Agency Address		
City	ZIP Code	County ()
Name and Title of Person Requesting Change		Telephone Number

COMPLETE AREAS REQUIRING CHANGE

Agency Address/Telephone Number Change (see above) Yes

Agency Head: Name	() Telephone
Address	() Fax
E-mail Address	

(If new person, complete a new Subscriber Agreement)

Agency CLETS Coordinator (ACC):

Name	() Telephone
Address	() Fax
E-mail Address	

Security Point of Contact (SPOC):

Name	() Telephone
Address	() Fax
E-mail Address	

NCIC/ORION Information	() Telephone	() Alternate Telephone
	() Fax	() Alternate Fax

Please use the separate Hit Confirmation Data form for providing hit confirmation information changes.

Signature of ACC or Agency Head: _____

AGENCY CLETS COORDINATOR (ACC) RESPONSIBILITIES

An ACC serves as the coordinator with the California Department of Justice (CA DOJ) on matters pertaining to the use of the California Law Enforcement Telecommunications System (CLETS), the Federal Bureau of Investigation's National Crime Information Center (NCIC), the National Law Enforcement Telecommunications System (NLETS) and the CA DOJ criminal justice databases.

The ACC should be familiar with all aspects of the CLETS, the NCIC, the NLETS and the CA DOJ criminal justice databases. The ACC's primary responsibilities include:

Administration/Record Keeping

- Coordinate and/or respond to the CLETS-related correspondence;
- Notify the CA DOJ of changes in address, phone number, agency representatives and other information pertaining to your agency;
- Report to the CLETS Administration Section (CAS) the number of CLETS misuse investigations conducted by your agency or message switching computer (MSC) on a yearly basis, to include type of misuse and outcome. *These reports are sent to the CAS even if no misuse was reported;*
- On a quarterly basis, ensure the accuracy of the CLETS user security files within your agency or MSC, deleting users who are no longer employed;
- Ensure the recommended Employee Statement forms are completed on all employees accessing the CLETS information;
- Ensure the Third-Party Release Log for the criminal offender record information released to individuals outside your agency is complete and accurate;
- Ensure Management Control or Interagency Agreements are on file, if applicable; and
- Maintain a copy of all contractual agreements.

Audits/Inspections/Validations

- Ensure compliance with mandated state and federal auditing requirements;
- Coordinate the CLETS inspections of your agency with the CA DOJ;
- Receive validation lists and coordinate the information validation; and
- Promptly respond to the CA DOJ requests for agency representative and/or Originating Agency Identifier (ORI) validations.

Information/Publications

- Oversee the ordering and proper distribution of publications; and
- Oversee the proper distribution of policy or database change information.

(continued)

Policy

- Ensure compliance with the CLETS, the NCIC, the NLETS and the CA DOJ criminal justice databases policies and regulations; and
- Ensure the CLETS terminals, equipment and messages are secure from unauthorized access.

System

- Maintain and have available a current system diagram;
- Maintain and have available a list the CLETS terminal locations within the agency, identifying whether the terminal is fixed, mobile, behind a LAN/WAN, etc.;
- Maintain and have available a list of the CLETS terminal mnemonics, whether static or pooled; and
- Coordinate any terminal access level changes, requests for additional CLETS mnemonics and applications for upgrading service.

Training

- Advise terminal operators within your agency of formats used on terminals within your agency or county;
- Determine the need and coordinate the CLETS/NCIC-related training; and
- Maintain and have available the CLETS/NCIC training records.

I have read and understand the responsibilities of an ACC.

Signature – ACC

Date

Signature – Agency Head

Date

Name of Agency

PLEASE RETAIN THIS FORM WITH YOUR AGENCY'S RECORDS.

DO NOT SUBMIT TO THE CALIFORNIA DEPARTMENT OF JUSTICE.

MANAGEMENT CONTROL AGREEMENT

Agreement to allow the California Law Enforcement Telecommunications (CLETS) access by

_____,
(Public law enforcement/criminal justice agency)

_____,
(ORI)

to _____
(Dispatch, parking citation or data processing public agency)

to perform _____ services on its behalf.
(Type of service)

Access to the CLETS is authorized to public law enforcement and criminal justice agencies only (hereinafter referred to as the *CLETS subscribing agency*), which may delegate the responsibility of dispatching, parking citation or data processing/information technology services to a public agency that is neither a law enforcement agency nor a criminal justice agency (hereinafter referred to as the *Non-CJ agency*). The Non-CJ agency may receive information from the CLETS on behalf of the CLETS subscribing agency to accomplish the above-specified services, if such delegation is authorized, pursuant to statute, regulation or interagency agreement. A signed Management Control Agreement must be received by the California Department of Justice (CA DOJ) prior to the subscribing agency permitting the Non-CJ agency access to the CLETS. The performance of such delegated services by an otherwise Non-CJ agency does not convert that agency into a public criminal justice agency, nor automatically authorize access to state summary criminal history information. Information from the CLETS is confidential and may be used only for the purpose(s) for which it is authorized. Violation of confidentiality requirements or access authorizations may be subject to disciplinary action or criminal charges.

Pursuant to the policies outlined in the *CLETS Policies, Practices, and Procedures (PPP)* and the Federal Bureau of Investigation's (FBI) *Criminal Justice Information Services Security Policy*, it is agreed the CLETS subscribing agency will maintain responsibility for security control as it relates to the CLETS access. Security control is defined as the ability of the CLETS subscribing agency to set, maintain and enforce:

1. Standards for the selection, supervision and termination of personnel. This does not grant hiring/firing authority to the CLETS subscribing agency, only the authority to grant the CLETS access to personnel who meet these standards and deny it to those who do not; and
2. Policies governing the operation of computers, access devices, circuits, hubs, **boundary protection devices** and other components that make up and support a telecommunications network and related CA DOJ criminal justice databases used to process, store or transmit criminal justice information, guaranteeing the priority, integrity and availability of service needed by the criminal justice community.

(continued)

Security control includes, but is not limited to, the supervision of applicable equipment, systems design, programming and operating procedures associated with the development, implementation and operation of any computerized message-switching or database systems utilized by the served law enforcement agency or agencies. Computer sites must have adequate physical security to protect against any unauthorized viewing or access to computer terminals, access devices or stored/printed data.

Additionally, it is the responsibility of the CLETS subscribing agency to ensure that all Non-CJ agency personnel accessing the CLETS information meet the minimum training, certification and background requirements that are also imposed on the CLETS subscribing agency's staff. The minimum requirements are applicable also to staff having access to record storage areas containing information from the CLETS. The minimum requirements include, but are not limited to:

1. Initially (within six months of employment or assignment), train, functionally test and affirm the proficiency of all the CLETS computer operators to ensure compliance with the CLETS and the FBI's National Crime Information Center (NCIC) policies and regulations, if applicable. Biennially, provide retesting and reaffirm the proficiency of all the CLETS operators, if applicable;
2. State and FBI fingerprint-based criminal offender record information searches must be conducted prior to allowing access to the CLETS computers, equipment or information. If the results of the criminal offender record information search reveal a record of any kind, access will not be granted until the CLETS subscribing agency can review the matter to decide if access is appropriate. If a felony conviction of any kind is found, access shall not be granted; and
3. Each individual must sign an Employee/Volunteer Statement Form prior to operating or having access to the CLETS computers, equipment or information.

In accordance with the CLETS/NCIC policies, the CLETS subscribing agency has the responsibility and authority to monitor, audit and enforce the implementation of this agreement by the Non-CJ agency. The Non-CJ agency agrees to cooperate with the CLETS subscribing agency in the implementation of this agreement and to accomplish the directives for service under the provisions of this agreement. The Management Control Agreement shall be updated when the head of either agency changes or immediately upon request from the CA DOJ.

Signature (CLETS Subscribing Agency)

Signature (Non-CJ Agency)

Print Name and Title

Print Name and Title

Date

Date

PRIVATE CONTRACTOR MANAGEMENT CONTROL AGREEMENT

Agreement to allow the California Law Enforcement Telecommunications System (CLETS) access by

_____ (Public law enforcement/criminal justice agency)

_____ (ORI)

to _____

_____ (Private Contractor)

to perform _____ services on its behalf.

_____ (Type of service)

Access to the CLETS is authorized to public law enforcement and criminal justice agencies only (hereinafter referred to as the *CLETS subscribing agency*), which may delegate the responsibility of performing the administration of criminal justice functions (e.g., dispatching functions or data processing/information services) in accordance with the Federal Bureau of Investigation's (FBI) Criminal Justice Information Services (CJIS) Security Addendum to a private contractor. The private contractor may access systems or networks that access the CLETS on behalf of the CLETS subscribing agency to accomplish the above-specified service(s). This Agreement must be received by the California Department of Justice (CA DOJ) prior to the subscribing agency permitting access to the CLETS. The performance of such delegated services does not convert that agency into a public criminal justice agency, nor automatically authorize access to state summary criminal history information. Information from the CLETS is confidential and may be used only for the purpose(s) for which it is authorized. Violation of confidentiality requirements or access authorizations may be subject to disciplinary action or criminal charges.

Pursuant to the policies outlined in the *CLETS Policies, Practices and Procedures (PPP)* and the FBI's *CJIS Security Policy*, it is agreed the CLETS subscribing agency will maintain responsibility for security control as it relates to the CLETS access. Security control is defined as the ability of the CLETS subscribing agency to set, maintain and enforce:

1. Standards for the selection, supervision and termination of personnel. This does not grant hiring/firing authority to the CLETS subscribing agency, only the authority to grant the CLETS systems access to personnel who meet these standards and deny it to those who do not; and
2. Policies governing the operation of computers, access devices, circuits, hubs, **boundary protection devices** and other components that make up and support a telecommunications network and related CA DOJ criminal justice databases used to process, store or transmit criminal justice information, guaranteeing the priority, integrity and availability of service needed by the criminal justice community.

Security control includes, but is not limited to, the supervision of applicable equipment, systems design, programming and operating procedures associated with the development, implementation and operation of any computerized message-switching or database systems utilized by the served law enforcement agency or agencies. Computer sites must have adequate physical security to protect against any unauthorized viewing or access to computer terminals, access devices or stored/printed data.

(continued)

Additionally, it is the responsibility of the CLETS subscribing agency to ensure all private contractors receiving information from the CLETS meet the minimum training, certification and background requirements that are also imposed on the CLETS subscribing agency's staff. The minimum requirements are applicable also to staff having access to record storage areas containing information from the CLETS. The minimum requirements include, but are not limited to:

1. Prior to allowing the CLETS access, train, functionally test and affirm the proficiency of the CLETS computer operators to ensure compliance with the CLETS and the FBI's National Crime Information Center (NCIC) policies and regulations, if applicable. Biennially, provide retesting and reaffirm the proficiency of all the CLETS operators, if applicable;
2. State and FBI criminal offender record information searches must be conducted prior to allowing access to the CLETS computers, equipment or information. If the results of criminal offender record information search reveal a record of any kind, access will not be granted until the CLETS subscribing agency can review the matter to decide if access is appropriate. If a felony conviction of any kind is found, access shall not be granted; and
3. Each individual must sign an Employee/Volunteer Statement Form prior to operating or having access to the CLETS computers, equipment or information.

In accordance with the CLETS/NCIC policies, the CLETS subscribing agency has the responsibility and authority to monitor, audit and enforce the implementation of this agreement by the private contractor. The private contractor agrees to cooperate with the CLETS subscribing agency in the implementation of this agreement and to accomplish the directives for service under the provisions of this agreement. The Management Control Agreement shall be updated when the head of either agency changes or immediately upon request from the CA DOJ.

By signing this agreement, the vendors and private contractors certify they have read and are familiar with the contents of (1) the FBI's CJIS Security Addendum; (2) the NCIC 2000 Operating Manual; (3) the FBI's CJIS Security Policy; (4) Title 28, Code of Federal Regulations, Part 20; and (5) the CLETS PPP and agree to be bound by their provisions. Criminal offender record information and related data, by its very nature, is sensitive and has potential for great harm if misused. Access to criminal offender record information and related data is therefore limited to the purpose(s) for which the CLETS subscribing agency has entered into the contract. Misuse of the system by, among other things: accessing it without authorization; accessing it by exceeding authorization; accessing it for an improper purpose; using, disseminating or secondary dissemination of information received as a result of this contract for a purpose other than that envisioned by the contract, may subject me to administrative and criminal penalties. Accessing the system for an appropriate purpose and then using, disseminating or secondary dissemination of information received for another purpose other than execution of the contract also constitutes misuse. Such exposure for misuse includes, but is not limited to, suspension or loss of employment and prosecution for state and federal crimes.

Signature (CLETS Subscribing Agency)

Signature (private contractor)

Print Name and Title

Print Name and Title

Date

Date

INTERAGENCY AGREEMENT

(This form is used when a California Law Enforcement Telecommunications System (CLETS) terminal is given to an agency other than the CLETS subscribing agency.)

This agreement is between the (CLETS Subscribing Agency) _____ and the (Governmental Agency) _____. This agreement pertains to the placement of a CLETS terminal belonging to the CLETS subscribing agency with the above-named agency. A CLETS subscribing agency may not place a terminal with another agency that meets eligibility requirements for the CLETS service per the CLETS Policies, Practices and Procedures (PPP) Section 1.3.1. Such an agency must complete an application for new CLETS service.

In accordance with section 1.5.2 of the CLETS PPP and prior to terminal placement, the following must be completed and agreed to by both agencies:

1. A statute, ordinance or regulation must exist that requires the governmental agency to perform a law enforcement-related function, which necessitates receiving information from the CLETS.
 - A. Check One: Statute _____ Ordinance _____ Regulation _____
 - B. Specify Code or section # _____
 - C. Is a copy of the code or section attached, as required? Yes _____ No _____
2. Identify the CLETS mnemonic(s) that will be placed with the governmental agency and the purpose for which information from the CLETS is necessary. The purpose identified may determine the database access level that is granted.

Mnemonic(s) _____

Purpose _____
3. All the criminal offender record information, regulations and the California Department of Justice policies will be adhered to by all parties involved.
4. All persons of the governmental agency having access to information from the CLETS must complete the required criminal offender record information search per PPP section 1.9.2.
5. All persons having access to information from the CLETS must be trained in the operation, policies and procedures of each file that may be accessed or updated. Training can only be provided by the CLETS subscribing agency's certified CLETS/NCIC trainer, and must meet all the CLETS training requirements per PPP section 1.8.2.

(continued)

- 6. A terminal mnemonic address will be assigned to, and associated with, the CLETS subscribing agency's originating agency identifier number and the CLETS subscribing agency will assume full responsibility and liability of all the CLETS activity. The governmental agency will be listed as the secondary location for the terminal.
- 7. No terminal will be placed with the governmental agency until all conditions of this agreement are met.
- 8. This agreement is renewable when the agency head changes or immediately upon request of the CA DOJ.

A signed copy of this interagency agreement and a copy of the applicable statute, ordinance or regulation of entitlement to receive information from the CLETS must be submitted to:

**CLETS Administration Section
P.O. Box 903387
Sacramento, CA 94203-3870**

It is understood by all parties that the CA DOJ reserves the right to overturn approval of this agreement when the CLETS/NCIC policies, procedures, security or dissemination requirements are violated.

Signature – CLETS Subscriber Agency Head

Signature – Governmental Agency Head

Print Name and Title – CLETS Subscriber Agency Head

Print Name and Title – Governmental Agency Head

Agency Name – CLETS Subscriber Agency

Agency Name – Governmental Agency

Date

Date

ORI Number

RELEASE OF INFORMATION FROM THE CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)

(This form is used when information from the CLETS is released to an agency other than a CLETS subscribing agency.)

This agreement is between the (CLETS subscribing agency) _____ and the (governmental agency) _____. This agreement pertains to the release of any information (verbal or written) from the CLETS.

The release of information from the CLETS by a CLETS subscribing agency is authorized on a need-to-know, right-to-know basis. In accordance with Section 1.5.3 of the *CLETS Policies, Practices and Procedures (PPP)*, and prior to the release of information from the CLETS, the following must be completed and agreed to by both agencies:

1. A statute, ordinance or regulation must exist that requires the governmental agency to perform a law enforcement-related function, which necessitates receiving information from the CLETS;
 - A. Check One: Statute _____ Ordinance _____ Regulation _____
 - B. Specify code or section # _____
 - C. Is a copy of the appropriate section attached, as required? Yes _____ No _____
2. All the criminal offender record information, regulations and the California Department of Justice (CA DOJ) policies will be adhered to by all parties involved;
3. All persons having access to information from the CLETS must comply with Background and Fingerprint Requirements, PPP section 1.9.2, which includes a signed Employee/Volunteer Statement Form;
4. All persons having access to information from the CLETS must be trained in the operation, policies and procedures of each file that may be accessed or updated. Training shall be provided only by a certified CLETS/Federal Bureau of Investigation's National Crime Information Center (NCIC) trainer and must meet all the CLETS training requirements per PPP section 1.8.2.

All subsequent requests for information by an agency with this form on file will be covered. A signed copy of this release of information form must be submitted to:

**CLETS Administration Section
P.O. Box 903387
Sacramento, CA 94203-3870**

It is understood by all parties that the California Department of Justice (CA DOJ) reserves the right to overturn approval of this agreement when CLETS policies, regulations, security or dissemination requirements are violated. This Agreement is renewable when the agency head changes or immediately upon request of the CA DOJ.

Signature – CLETS Subscriber Agency Head

Signature – Public Agency

Print Name & Title – CLETS Subscriber Agency Head

Print Name & Title – Public Agency

Date

ORI

Date

RECIPROCITY AGREEMENT

California Department of Justice
 CLETS Administration Section
 P.O. Box 903387
 Sacramento, CA 94203-3870

Telephone: (916) 227-3677
 Fax: (916) 227-0696
 E-mail: CAS@doj.ca.gov

Agreement for: _____ enter/update records
 _____ hit confirmations and notice of locate
 (attach Hit Confirmation Data form)

In entering into this agreement, both agencies agree to conform to all the California Law Enforcement Telecommunications System (CLETS) policies. It is understood by all parties that the California Department of Justice reserves the right to overturn approval of this agreement when the CLETS/Federal Bureau of Investigation's National Crime Information Center policies, regulations, security or dissemination requirements are violated.

 Agency Forwarding Messages

 ORI

 Agency Receiving Messages

 ORI

I agree to be responsible for entering/updating records and/or responding to locate and request for confirmation messages on behalf of the forwarding agency noted above.

 Receiving Agency Head Name (Type or Print)

 Title (Type or Print)

 Signature

 Date

I accept that the receiving agency noted above will be acting on our behalf by entering/updating records and/or responding to notices of locate and requests to confirm records entered by my agency. Also, it is my understanding that copies of all reports for records entered will be delivered to the receiving agency.

 Forwarding Agency Head Name (type or print)

 Title (type or print)

 Signature

 Date

MSC/USERS COSTS AND REQUIREMENTS

California Department of Justice
CLETS Administration Section
P.O. Box 903387
Sacramento, CA 94203-3870

Telephone: (916) 227-3677
Fax: (916) 227-0696
E-mail: CAS@doj.ca.gov

_____ COUNTY

Pursuant to directions from the California Department of Justice (CA DOJ), _____ County has informed each of the California Law Enforcement Telecommunications System (CLETS) users served through this message switching computer (MSC) of the following costs and/or requirements associated with implementing or upgrading the MSC.

I. Approximate all costs and/or fees to be charged to users served through this new or upgraded MSC (e.g., specific equipment, access costs, etc.):

A. Initial one-time costs

- 1. Installation charge _____
- 2. Line and equipment _____
- 3. Terminal _____
- 4. Any other one-time costs _____

B. Ongoing costs

- 1. Line and equipment costs _____
- 2. Service fees _____
- 3. Terminal rental _____
- 4. Any other ongoing costs _____

II. Specify all requirements for users served through this new or upgraded MSC (e.g., specific equipment, software, etc.):

- A. Software specifications _____
- B. Hardware specifications _____
- C. Line protocols _____
- D. Terminal specifications _____
- E. Any other requirements _____

As the county control agent, I certify the information provided herein has been provided to all county users.

Signature – Agency Head

Print – Agency Head Name

Agency Head Title

Date

ORI Number

EMPLOYEE/VOLUNTEER STATEMENT FORM

USE OF INFORMATION FROM THE CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS) AND THE DEPARTMENT OF MOTOR VEHICLES RECORD INFORMATION

As an employee/volunteer of _____, you may have access to confidential criminal records, the Department of Motor Vehicle records or other criminal justice information, much of which is controlled by statute. All information from the CLETS is based on the "need-to-know" and the "right-to-know" basis. The misuse of such information may adversely affect an individual's civil rights and violates the law and/or CLETS policies.

Penal Code (PC) section 502 prescribes the penalties relating to computer crimes. PC sections 11105 and 13300 identify who has access to state and local summary criminal history information and under which circumstances it may be released. PC sections 11141-11143 and 13302-13304 prescribe penalties for misuse of state and local summary criminal history information. Government Code section 6200 prescribes the felony penalties for misuse of public records and information from the CLETS. California Vehicle Code section 1808.45 prescribes the penalties relating to misuse of the Department of Motor Vehicle record information. PC sections 11142 and 13303 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor."

Any employee/volunteer who is responsible for the CLETS misuse is subject to immediate dismissal from employment. Violations of the law may result in criminal and/or civil action.

I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUSE OF ALL INFORMATION FROM THE CLETS.

Signature

Print Name

Date

CLETS MISUSE INVESTIGATION REPORTING FORM

California Department of Justice
 CLETS Administration Section
 P.O. Box 903387
 Sacramento, CA 94203-3870

Telephone: (916) 227-3677
 Fax: (916) 227-0696
 E-mail: CAS@doj.ca.gov

Calendar Year _____

(Regardless of whether your agency had any reported misuse, submit this form by February 1 of each year for the previous calendar year. Include the number of investigations performed related to CLETS misuse and include any disciplinary action taken, if applicable.)

Agency Name _____

Address _____

Person Completing Form _____

(_____)

Telephone number _____

County _____

-
1. Total number of investigations performed related to CLETS misuse:

a. Pending _____	+	b. Closed _____	=	Total Performed _____	
				(1a + 1b = 2a + 2b + 2c)	

 2. Of the total number of investigations performed, how many originated from:

a. Private citizen complaints _____	
b. Internal within your department _____	
c. From another agency _____	

 3. Misuse violations found from investigations (see #4 below): Total Found _____
 (4a + 4b + 4c + 4d)

 4. Total number of each type of action taken on misuse violations:

a. No action taken _____		
b. Administrative action:		
Counsel _____	Reprimand _____	Suspension _____
Resignation _____	Termination _____	Other _____
c. Criminal complaints filed:		
Infraction _____	Misdemeanor _____	Felony _____
d. Number of convictions from criminal complaints filed:		
Infraction _____	Misdemeanor _____	Felony _____
Unknown _____		

CALIFORNIA DEPARTMENT OF JUSTICE SECURITY POINT OF CONTACT DELINEATION AND AGREEMENT

A Security Point of Contact (SPOC) is the person designated to serve as the security coordinator with the California Department of Justice (CA DOJ) on security matters pertaining to the use of the California Law Enforcement Telecommunications System (CLETS), the National Crime Information Center (NCIC), the National Law Enforcement Telecommunications System (NLETS) and the CA DOJ criminal justice databases and the administrative network the CLETS supports. If any of these duties is performed by a consultant, an agency representative must review and approve all proposed actions. The SPOC shall coordinate, with the Agency CLETS Coordinator (ACC), on all routine or non-emergency basis actions or matters pertaining to the CLETS, the NCIC, the NLETS and the CA DOJ criminal justice databases and the administrative network that the CLETS supports. When feasible, the SPOC shall coordinate, with the ACC, on all exceptional or emergency basis actions in matters pertaining to the CLETS, the NCIC, the NLETS and the CA DOJ criminal justice databases and the administrative network the CLETS supports.

Requirements

- Be familiar with all security aspects of the agency's CLETS, the CA DOJ criminal justice databases, the NCIC and the NLETS-connected devices and infrastructure;
- Possess a strong technical foundation and be able to coordinate and perform security-related activities as required;
- Be authorized and have access to all technical components and documentation related to the agency's segment of the CLETS infrastructure;
- Ensure emergency critical changes or modifications, etc., to the agency's CLETS infrastructure, as directed by the CA DOJ, are performed with little or no advanced notice; and
- Have access to security and system audit logs that either directly or indirectly support CLETS infrastructure. This shall not include access to the CLETS journal information or data.

Roles and Responsibilities

Administration

- Coordinate with the ACC to establish procedures ensuring only authorized users have access to the CLETS and its related hardware or software;
- Coordinate or respond to the CA DOJ security-related correspondence;
- Ensure that a backup SPOC is designated. If the primary SPOC cannot be located or contacted, the backup SPOC shall assume all SPOC responsibilities; and
- Retain all documentation and notify the agency head if the individual no longer serves as the SPOC.

Audits/Inspections/Validations

- Coordinate with the ACC to ensure the continued availability, confidentiality and integrity of the CLETS infrastructure residing in the agency's systems or networks;
- Coordinate with the ACC to recommend proactive or corrective actions necessary to validate or verify the agency's compliance with the CLETS Policies, Practices and Procedures (PPP);
- Coordinate with the ACC to recommend actions necessary to ensure compliance with all state or federal auditing requirements as described in the CLETS PPP; and
- Coordinate the agency's CLETS security inspections by the CA DOJ network information security or field liaison staff, as required or requested by the CA DOJ.

(continued)

Policy

- Recommend to the ACC actions necessary to ensure compliance with all applicable CA DOJ, CLETS, NCIC or NLETS security practices, policies, statutes or regulations;
- Recommend to the ACC the actions necessary to ensure the CLETS terminals, equipment or messages are secure from unauthorized access;
- Recommend to the Agency Head the actions necessary to establish a security incident response for the agency to discover, investigate, document or report incidents that endanger the security or integrity of the CA DOJ systems or networks;
- Recommend to the Agency Head a security incident response (defined above), reporting procedure.

System

- Have a current system diagram available;
- Have a list of all the CLETS terminal locations within the agency available identifying the terminal as fixed, mobile, behind a Local Area Network, a Wide Area Network, etc.;
- Have a list of all the CLETS terminal mnemonics (static or pooled) available;
- Review the CLETS applications for new, upgraded or changing services for compliance with security requirements;
- Retain or have access to all records of changes or problems associated with the CLETS hardware or software.

Training

- Coordinate with the ACC to ensure security awareness training is provided to all agency CLETS users within the first six months of employment or appointment and every two years thereafter.

SPOC Acknowledgment:

Signatures indicate a reading, understanding and pledge to abide by this SPOC delineation and agreement.

Printed Name

Signature

Date

Agency Head SPOC Acknowledgment Confirmation:

Printed Name

Signature

Date

THIS ORIGINAL AGREEMENT SHALL BE MAINTAINED BY THE AGENCY

FBI CJIS Security Policy Area Reference

The PPP defers to the FBI CSP for the technical security requirements. The following is provided as a reference to the policy areas that are contained within the FBI CSP.

Policy Area 1—Information Exchange Agreements

Policy Area 2—Security Awareness Training

Policy Area 3—Incident Response

Policy Area 4—Auditing and Accountability

Policy Area 5—Access Control

Policy Area 6—Identification and Authentication

Policy Area 7—Configuration Management

Policy Area 8—Media Protection

Policy Area 9—Physical Protection

Policy Area 10—Systems and Communications Protection and Information Integrity

Policy Area 11—Formal Audits

Policy Area 12—Personnel Security

The Appendix includes information exchange agreements and the FBI CJIS Security Addendum.

CLETS IT SECURITY INCIDENT RESPONSE FORM

California Department of Justice
CLETS Administration Section
P.O. Box 903387
Sacramento, CA 94203-3870

Telephone: (916) 227-3677
Fax: (916) 227-0696
E-mail: CAS@doj.ca.gov

Agency Name _____

Address _____

Person Completing Form
() _____

Telephone number _____ County _____

Date of Report : _____ (mm/dd/yyyy)

Date of Incident : _____ (mm/dd/yyyy)

Point(s) of Contact: _____

Phone/Ext/E-mail: _____

Locaton(s) of Incident: _____

System(s) Affected: _____

Method of Detection: _____

Nature of Incident: _____

Incident Description: _____

Actions Taken/Resoluton: _____

GLOSSARY

- Access Control Point:** the first point at which the integrity and security of a California Law Enforcement Telecommunications System (CLETS) connection is authenticated and audited, whether it is a direct Message Switching Computer (MSC), an indirect MSC or an indirect MSC several layers removed from the Direct MSC.
- Administrative Message:** a point-to-point CLETS message (including All Points Bulletins) sent from a terminal and destined for one or more terminals.
- Agency CLETS Coordinator:** the individual designated to be an agency's certified CLETS user trainer and terminal coordinator; acts as liaison between the agency and the California Department of Justice (CA DOJ), CLETS Administration Section in all CLETS functions.
- All Points Bulletin:** an administrative message sent from a terminal and destined for a group code to distribute the message to multiple terminals throughout the county, state or nation.
- Application:** formal qualifying paperwork to be filed with the CA DOJ through the CLETS Executive Secretary when new or upgraded service is requested.
- Automated Boat System (ABS):** the CA DOJ criminal justice database containing information regarding stolen, recovered, stored, repossessed and embezzled vessels.
- Automated Criminal History System (ACHS):** the CA DOJ criminal justice database containing compiled records of arrest and court disposition information on subjects.
- Automated Firearms System (AFS):** the CA DOJ criminal justice database containing information regarding firearms registration and lost, stolen or seized firearms.
- Automated Property System (APS):** the CA DOJ criminal justice database containing information regarding lost or stolen property.
- Boundary Protection Device:** *Monitors and controls communications at the external boundary of the information system and at key internal boundaries within the system. Examples of boundary protection devices are proxies, gateways, guards, routers, firewalls and encryption tunnels.*
- CA DOJ Criminal Justice Databases:** the computerized California data files at the CA DOJ and maintained by local law enforcement agencies and/or the CA DOJ. Data files include: the Automated Firearms System (AFS), the Automated Property System (APS), the Automated Criminal History System (ACHS), the California Restraining and Protective Order System (CARPOS), the Mental Health Firearms Prohibition System (MHFPS), the Missing/Unidentified Persons System (MUPS), the Supervised Release File (SRF), the Stolen Vehicle System (SVS)/Automated Boat System (ABS), the Wanted Persons System (WPS), the Violent Crime Information Network (VCIN) and the Sex and Arson Registration System (SARS).
- California Department of Justice (CA DOJ):** the California state department that maintains and operates the CLETS and the criminal justice databases; acts as the NCIC and the NLETS control terminal agency for California and performs numerous service functions for law enforcement

agencies; responsible for investigating allegations of CLETS misuse; develops all technical requirements for access to CLETS by computer systems.

California Law Enforcement Telecommunications System (CLETS): the computerized telecommunications system in the State of California that is used by public agencies of law enforcement and criminal justice for accessing law enforcement information and sending law enforcement messages.

California Restraining and Protective Order System (CARPOS): the CA DOJ criminal justice database containing information regarding active restraining orders in addition to containing historical data on restraining orders that have expired within the past five years. The CARPOS also allows law enforcement to send a Violation Message to the CARPOS containing information on a possible violation of the restraining order.

CLETS Administration Section: the CA DOJ unit that administratively manages the CLETS network; issues terminal mnemonics and their access authorizations; provides technical consultation services to the CLETS clients for planning and implementing new and upgrading MSC systems; provides staff support to the CLETS Advisory Committee.

CLETS Advisory Committee (CAC): the 10-member committee governed under California Government Code Section 15154 to advise and assist the Attorney General in the management of the CLETS with respect to operating policies, service evaluation and system discipline.

CLETS Executive Secretary: provides staff support to the CLETS Advisory Committee and is manager of the CLETS Administration Section; facilitates in investigating allegations of CLETS misuse; develops and enforces all CLETS Advisory Committee-approved policies and CLETS security requirements; facilitates in the development of technical requirements for access to CLETS by computer systems; and oversees the assignment of all CLETS terminal mnemonics and access authorizations.

Computer Aided Dispatch (CAD): a computerized system used by law enforcement agencies for dispatching and message switching services.

County Control Agency: the designated agency in each county that is provided the circuits by the Department of Justice to serve approved CLETS subscribers within that county.

Criminal Justice Agency: a public agency 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 district attorneys, courts, probation/parole departments, correctional facilities or offices.

Criminal Offender Record Information (CORI): criminal history arrest information regarding a subject or subjects retained by/at any governmental entity therein is considered CORI, and falls under the CORI rules and regulations.

Department of Motor Vehicles (DMV): the California department that maintains the state's data files containing driver license, automated name index and vehicle registration information.

Dial-Up Access: a method of transporting the CLETS messages using public switched telephone lines that are available through special application only.

Direct Access: accessing the CLETS with a direct line to the CA DOJ rather than via the county control agency's message switching computer.

Direct Interface System Host: a non-county control agency with a direct interface to the CLETS, which provides host message switching services to the CLETS for other agencies.

FBI Criminal Justice Information Services (CJIS) Security Policy: the minimum level of Information Technology security **requirements** determined by the FBI as acceptable for the transmission, processing and storage of national and state criminal justice data.

Interagency Agreement: an agreement between a CLETS Subscribing Agency and a governmental agency. This agreement allows the CLETS Subscribing Agency to provide a CLETS terminal with the governmental agency that is entitled to receive the information through statute, regulation or ordinance under conditional agreements.

Interstate Identification Index (III): III is the decentralization of the FBI/National Crime Information Center (NCIC) criminal history subject files. When a III query is received, NCIC responds with the full criminal record information from non-III participating states, and identifies the III-participating states maintaining criminal history files on the subject. NCIC then automatically forwards the query to the III-participating states with records on the subject, and the individual states must respond back to the original inquirer with the criminal history information from their state. III promotes the interstate exchange of criminal history information, with each III participant maintaining its own state's criminal history records, rather than the NCIC.

Journal Record: a computer-generated record of the CLETS message(s). The CA DOJ requires every CLETS message switching computer to completely record all CLETS transactions, incoming and outgoing, and be able to retrieve them using search parameters for at least three years. The CA DOJ retains all the CLETS transactions for three years with statewide journal search capabilities. In addition, the CA DOJ Automated Criminal History System journals all criminal history queries with no time limit on searches.

Law Enforcement Agency: a public agency having statutory power of arrest and whose primary function is that of apprehension and detection. Agencies include sheriffs, city police departments, California Highway Patrol, CA DOJ and the Federal Bureau of Investigation.

Law Enforcement Data System (LEDS): the State of Oregon's telecommunications system. The LEDS maintains a direct interface with California law enforcement agencies, thereby enabling the CLETS users to query Oregon's databases, and vice versa.

Local Area Network (LAN): a network of personal computers administered by a single host server through a "sharing environment." LANs may interface with the CLETS either directly or indirectly if all application and security requirements are met.

Management Control Agreement (MCA): There are two MCAs: one for use with a public agency, the other for use with a private contractor. The MCA is a CLETS agreement required when a CLETS subscriber agency does not maintain physical and/or operational control of its terminals or equipment hardware and software. The agreement states that the law enforcement agency

maintains management control to set policy, priorities and assignment of personnel associated with the CLETS-connected equipment and must be signed by the heads of both agencies.

Media Access Control (MAC) Address: the hardwired, port address of a Local Area Network (LAN)-based terminal.

Mental Health Firearms Prohibition System (MHFPS): the CA DOJ criminal justice database containing information regarding individuals who are prohibited from owning or carrying a firearm due to mental health restraints.

Message Switching Computer (MSC): the portion of the hardware and software solely designed to switch transactions to and from the CLETS.

Missing/Unidentified Persons System (MUPS): the CA DOJ criminal justice database containing information regarding missing persons and unidentified living or deceased persons.

Mnemonic Pooling: the ability for a mnemonic to represent more than one device, which allows a mnemonic to represent a class of users, devices, applications, etc.

Mobile Data Terminal (MDT): a CLETS terminal with mobile capability, usually located in a patrol car, and includes laptops, handheld devices or other transportables.

MSC Administrator: the individual responsible for coordinating CLETS-related issues with the CA DOJ.

National Crime Information Center (NCIC): the nationwide computerized data files maintained by the Federal Bureau of Investigation, and composed of data files similar to those in the CA DOJ criminal justice databases, but at the national level. The NCIC files include additional files not duplicated by the CA DOJ.

National Law Enforcement Telecommunications System (NLETS): the interstate computerized telecommunications backbone system that provides a connection to every state, allowing law enforcement agencies to send/receive information from other states' databases and law enforcement agencies.

Need-to-know: the necessity to obtain the CA DOJ or the FBI information to execute official responsibilities.

Operator Identification Field (OIF): the six-position field containing alpha/numeric characters that identify the terminal operator's User ID. The OIF is required for all terminals and users accessing the CLETS from behind a computer system.

Originating Agency Identifier (ORI): the nine-character alpha/numeric "number" issued by the FBI/NCIC that identifies and entitles a law enforcement or criminal justice agency to receive law enforcement information.

Right-to-know: The right to obtain the CA DOJ or the FBI information pursuant to court order, statute or decisional law.

Static Terminal Mnemonic: (see Terminal Mnemonic, Static)

Stolen Vehicle System (SVS): the CA DOJ criminal justice database containing information regarding lost, stolen, stored or impounded vehicles, vehicle license plates or vehicle parts.

Subscriber Agreement: a required agreement for participation in the CLETS signed by the head of each subscriber agency. The agreement states the subscriber will abide by all rules, requirements, policies, practices and procedures established by the CLETS, the NCIC, the NLETS and the CA DOJ criminal justice databases.

Sub-Unit of a Public Agency: a unit of a non-law enforcement public agency that performs the duties of a law enforcement agency, whose employees are peace officers and the majority of its annual budget (more than 50 percent) is allocated to the administration of criminal justice. Sub-units include local, state or federal agencies such as the Department of Insurance-Fraud Division; the Employment Development Department-Investigations Bureau; the military police; and the fire department-arson investigations units.

Supervised Release File: a CA DOJ criminal justice database of active CDC and CYA parolees, county and federal probationers, sex and arson registrants, violent offenders and career criminals. The SRF allows law enforcement to send a Contact Message advising the supervising officer of all encounters with the subject.

Supplemental Header: the four- to 10-character field containing alpha/numeric characters generated from a message switching computer with every CLETS transaction and returned with every response. The first four characters of the supplemental header must be the terminal mnemonic that identifies a unique CLETS terminal as the originator of the message; characters five through 10 are for use by the message switching computer.

TCP/IP: Transmission Control Protocol/Internet Protocol; a type of message transmission method used by Local Area Network (LAN)-based terminals and used by the CA DOJ as the primary means of line connection to a direct interface message switching computer.

Terminal: the access device used to access CLETS includes both fixed and mobile devices. The terminals include but not limited to, desktop workstations, mobile data computers (MDC), laptops, and handheld devices..

Terminal Address Field: the six- to 18-position fixed/variable length field containing alpha/numeric characters that include a terminal's Internet Protocol (IP) and/or Media Access Control (MAC) addresses. This field is recommended for all terminals accessing the CLETS from behind a LAN and should be transmitted to the CLETS with every transaction.

Terminal Mnemonic: the four-character address (terminal name) assigned by the CA DOJ's CLETS Administration Section to identify each CLETS terminal. The terminal mnemonic is transmitted with each CLETS message in the first four characters of the supplemental header.

Terminal Mnemonic, Static: term reflecting the one-to-one relationship between a mnemonic and a device.

Time Activated Message Forwarding (TAMF): the CLETS programming feature that allows a specific terminal's messages to be automatically forwarded to another designated terminal on a temporary or continuous basis on specific days and times, e.g., daily from 5 p.m. to 7 a.m.

User ID: the information determining the identity of a terminal operator and transmitted in the six-character Operator Identification Field (OIF) with each CLETS transaction.

Volunteer Personnel: agency personnel who may include individuals, such as Reserves, law enforcement Explorer Scouts, law enforcement Cadets, student workers and senior citizen volunteers.

Wanted Persons System (WPS): the CA DOJ criminal justice database containing information regarding persons with outstanding arrest warrants in California.

Wide Area Network (WAN): a network of multiple Local Area Networks (LAN) hosted by a common server. LAN/WANs may interface with the CLETS either directly or indirectly if all application and security requirements are met.