

California CLETS Users Group Northern Chapter Training
Thursday, March 4th, 2021
Virtual: panel hosted from Fairfield Police Department

CCUG Northern Chapter Board Members

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Good morning and welcome by Dawn Shepherd, thank you for joining us this morning, we have a full class with over 140 registrants. Presentation handouts were sent out via email to all participants last night or early this morning.

CA Legislative Update: Introduction to Joe Surges from Police Records Management: will be reviewing new CA legislation that passed either Jan 1st is passed and takes effect later this year on public records and records retention. jsurges@policerecordsmanagment.com

SB 776 – big success for the year, died in the inactive file and did not proceed, would have expanded the provisions of SB 1421 that would have opened officer use of force files and retention for 30 years.

AB 1945 – huge success for public safety dispatchers to be recognizes as First Responders, congratulations!

AB 465 – mental health workers and supervision, have to have a licensed mental health professional in charge of supervision of mental health response teams set up by police agencies.

AB 499 – prohibits state agencies from sending any outgoing US mail that has SSNs. Local level agencies are mandated to redact any of this info in outgoing correspondence.

AB 846 – study, review and update regulations and screening material to identify bias in individuals being hired as peace officers with more emphasis on community policing and problem solving.

AB 1145 – deals with child sexual abuse: controversial because it does not include voluntary acts, only required mandatory reporting if one participant was over 21 and the other was under 16, changed that same age participants would not require that one would have to be reported as a sex registrant.

AB 1506 – police and use of force: creates with in DOJ upon the request of a LE agency a review of use of force policies and make recommendations.

AB 1755 – in regards to 911 systems, current law makes it an infraction for someone who uses the 911 system for anything other than an emergency, receives a written warning for first violation, upped 2nd – 4th violations to misd with additional fees and up to 6th months in county jail.

AB 1869 – criminal fees: at every point in the criminal process state allows agencies to appoint administrative fees. Takes effect on July 1st, 2021. Look at Gov code 29550 for specific to fees being eliminated.

AB 1927 – deals with witness testimony for sexual assaults: provides victims and witness with use immunity with drug use and underage drinking during incident. Cannot be prosecuted for being under the influence at the time of the assault.

AB 1950 – deals with probation and terms for misd cases: court probation was not to exceed 3 years, nw restricts the period to no longer than 1 year.

AB 1963 – deals with child abuse and neglect and mandated reports: expands reporters to human resources employees of business for any business employing minors.

AB 2061 – deals with inspections of firearms: takes effect July 1st of 2022, allows DOJ to inspect firearms dealers, ammo vendors, manufacturers participating at firearms events that they are complying with all state and federal laws and allows DOJ to enforce laws at gun shows.

AB 2321 – deals with juvenile courts, records and access to sealed records: U-visas and T-visas the victim must prove to the US immigration services that they are cooperating with investigations.

AB 2425 – deals with juveniles that participate in a diversion and community service program: makes the probation department in charge of notifying the program to seal a juveniles records 60 days after the completion of the community service program. Supervising agency must also notice any other agencies or individuals to seal any associated records. No forms for this, are in process via the State Judicial Council website for feedback via comments.

AB 2606 – deals with CJ agencies and SRF files, any agency to update any files available on CLETS, makes it mandatory that local probation be entered into SRF ASAP. Includes anyone on any county level probation and was effective Jan 1st of 2021.

AB 2617 – deals with gun violence restraining orders, this bill would require a LE officer to file and order with the court as soon as practicable but no later than 3 court days after the order was issued.

AB 2655 – makes it a misd for a first responder who responds to the scene of an accident or crime to capture any photo of a deceased person for any other purpose than for law enforcement purposes in effect Jan 1st, 2021. Related to the Kobe Bryant case. All first responders are to be notified by their agency of responsibility.

AB 3234 – deals with public safety, creates a court initiated diversion program and lowers the age of the elderly parole program to those who are 50 years of age from the current 65 years.

SB 388 – deals with missing persons and reports to local agencies, reporting numbers have increased of an average of 8% a year. Makes it law that state guidelines must be followed for MPs under 21 or at risk.

SB 629 – deals with police officers and media access to events – if police officers seal the immediate area around a police command post due to demonstration, protest or rallies requires that a dually authorized rep of a news reporting agency or outlet would allow them access to those closed areas without restriction by LE.

SB 905 – criminal history and access to information – to provide that a residence address shall not be required to be submitted for an individual who is applying to work with minors in CA.

AB 1747 – CA Values Act – prohibits subscribers to access CLETS for that other than CJ information for purposes of immigration violations, all inquires must include a reason. DOJ also authorized to conduct audits on compliance. Commencing July 1st, 2021. Bulletin info for CAD vendors is: 20-03-CJIS from 04/08/2020.

Session Break: Q&A what is the interested and/or restrictions for in-person training in the future? Attendees are interested in an combo option for either in person or virtual training as some agencies are indefinitely restricted to virtual only at this time.

CCUG is planning on presenting the Annual CCUG Conference this Sept 14th – 17th at the Mandalay Beach Resort in Oxnard, CA. We will be sending out more Conference info as it is confirmed.

CA DOJ MUPS Introductions: Megan Eschleman and Aisha Teamer with CA DOJ covering MUPS reporting requirements, system details and CA DOJ services and other resources for local LE agencies.

- No waiting period in CA
- LEAs must immediately assist any person attempting to make a MUPS report
- MUPS reports takes precedence over crimes of theft
- Reports can be provided in person, via phone, email or mail correspondence
- Shall be accepted regardless of jurisdiction but the LEA where the person was last known to be residing will be ultimately responsible for the missing person report (gray area). DOJ can facilitate any misunderstandings of primary and secondary LEA reporting concerns.
- PC 14212, LEA shall use the AGs Missing Person Report Form. Can use your agencies own form so long as it has the minimum reporting form that is CJIS 8568 available on CLEW.
- LEA is required, within 10 days, of the child being missing to inform the school the child was attending – can be notified by fax, email, or telephone and does still apply during COVID.
- The LEA will submit a missing person report to the CA DOJ even if the missing person is located prior to LE units being dispatched or investigating (ex: child is located in the home before report is taken)
- “Stranger abduction” or “Suspicious Circumstances” are going to trigger a forward to FBI, NCMEC and DOJ to contact your agency to provide additional resources and assistance.
- Best practices: NCMEC asking that no juvenile entry for a child under 10 should be listed as a Runaway, should be listed as unknown with runaway info in the miscellaneous field. This is an ask and not a CA DOJ mandate.
- Unknown “dummy” DOB can be used for unknown age persons, to be modified at later time when it is confirmed.
- Juveniles who turn 18 while still entered as a “runaway”, should not be cancelled, can be reentered as “Unknown” with runaway information entered into the misc section.
- There can be duplicate entries by more than one agency in the MUPS system triggered by separate agency investigations.
- At-Risk Entry into MUPS is 2 HOURS!
- Suspect info does not transmit to NCIC, the taking parent needs to be entered as an MP connecting the parties as known to being together.

- Federal guideline require “packing the record” with all information included in the MP report within 60 days including physical identifiers (SMTs), suspect info, vehicles and dental records (by the AGs office).
- If missing after 30 days, LEA shall obtain the release of the dental or skeletal x-rays or both and treatment notes. (SB 388 mandate, effective Jan 1st, 2021)
- Do NOT remove MP entry due to: warrant, NCIC Emancipation Notification, partial remains, legally declared deceased, no body homicide.
- If there is a boat involved in a MP case, it will forward into the ABS system but not into NCIC.
- Validations: MUPS file generated in NCIC in 1975, for CA agencies that have MUPS records older than that, verify by FCN.
- \$.M is generated for every MUPS entry to compare results for entering agency for leads, can contact DOJ for assistance with results.
- Unidentified entries can be deceased or living persons who cannot ascertain their identity. Do not enter as a Jane Doe in the missing persons system, should be entered into the unidentified side, are complex entries and DOJ will help.
- Unidentified Deceased File began in 1982, DOJ is actively working with medical examiner’s to get reports prior to 1982 entered into the UPS for assistance with cold case files.
- Other CA DOJ services: compare physical descriptions (tattoos) to ID MUPS persons, hotline and monthly posters, off line searches, ID by dental xrays/charts/medical implants
- Tattoo information should not entered in the misc field, should be entered in the SMT field with descriptions.
- MUPS has a hotline that can be provided to family members and RPs: 1-800-222-FIND
- Monthly Missing Children’s Poster, can subscribe via the AGs public website. Can request entry of MJ by contacting DOJ MUPS.
- Do not fax dental records, transfer issues reduce clarity, send via email for digital copies and mail correspondence for hard copies. Kept indefinitely by DOJ, can be used for repeat cases.
- www.Namus.gov (National Missing and Unidentified Persons System) is not mandated but a great resource for cold cases.
- If MUPS are located within CA, no further action is required. If they are located by an out of state agency, the originating agency will have to cancel the record.
- DOJ can search back to cancelled records (approx. 2015) and can search the FBI’s database back to 1990.

Today’s training was excellent, thank you all for joining and special thanks to our presenters for their time and training. Please check the CCUG website www.ccug.org for future quarterly trainings and further information on the annual conference in September.

Training adjourned at 1242 hours.