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October 14, 2022

Dave Maass  
815 Eddy Street  
San Francisco, CA 94109  
Sent via email: [dm@eff.org](mailto:dm@eff.org)

Re: Public Records Act Request 2022-01693

Dear Dave Maas:

This letter is in response to your public records request received in the Attorney General's Office on August 5, 2022, in which you sought records pursuant to the Public Records Act as set forth in Government Code section 6250 et seq.

Specifically, you requested:

- "1) All CLETS misuse reports covering 2020, including reports disclosing no misuse cases;*
- 2) All spreadsheets aggregating CLETS misuse reports covering 2020, including spreadsheets covering reports of no misuse;*
- 3) List of agencies that failed to provide a CLETS misuse report for 2020;*
- 4) All CLETS misuse reports covering 2021, including reports disclosing no misuse cases;*
- 5) All spreadsheets aggregating CLETS misuse reports covering 2021, including spreadsheets covering reports of no misuse; and*
- 6) List of agencies that failed to provide a CLETS misuse report for 2021;*
- 7) List of agencies added to and removed from CLETS in 2020-2021; and*
- 8) The current CLETS PPP."*

The California Department of Justice (Department) issued a response for the records you were seeking on September 22, 2022 and we informed you that we were continuing to review additional records for anticipated disclosure. On September 23, 2022, the Department received your response seeking clarification on the records that were provided. Specifically, you requested:

- 1. "I wanted to know if your department would like to give any context to some of the information here."*

*For example, we see that a number of federal agencies have been removed from CLETS, including several CBP offices. But we also see several ICE HSI agencies have been added. We'd like to know how this related to the California Values Act - does this mean the ICE agencies have agreed not to use it for immigration enforcement, while CBP has not?*

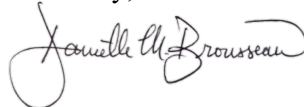
To the extent you are inquiring why the Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) Originating Agency Identifiers (ORIs) were removed and/or added to the California Law Enforcement Telecommunications System (CLETS), in researching the deletion and additions of ORIs, we found that the CBP ORI was removed because the agency's CLETS access was not used in over a nine-month period, which is standard procedure to remove unused access. CLETS Policies, Practices and Procedures section 1.6.2 states that any terminal mnemonic that remains inactive for nine months will be deleted from CLETS. The ICE agencies that were added all previously had CLETS access and were reapplying to reinstate that access. The final ICE agency was merely reconnecting after a prior deletion. For reference, general information regarding the Values Act and CLETS is available in this law enforcement bulletin: [https://oag.ca.gov/sites/all/files/agweb/pdfs/info\\_bulletins/18-10-cjis.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/info_bulletins/18-10-cjis.pdf). Additionally, the ORIs of two federal agencies changed to facilitate routing responses from the National Law Enforcement Telecommunications System via CLETS instead of through the agency's headquarters out of state.

2. *Also, we see that Space Force recorded the highest number of misuse cases, but the result was only training. If there's any further context for that, I'd appreciate it."*

To the extent you are seeking more information on the misuse cases reported by "Space Force," or the Department of Defense Police, the misuse cases were not a violation of the inquiries made into CLETS, but rather how the individual(s) documented the inquiries into the system. The agency informed the Department that the misuse cases resulted in a retraining of staff on the proper way to document the inquiries in accordance with the requirements.

The Department is also now disclosing the second installment of responsive records that includes some attachments to misuse reports. Our office is continuing to review the few remaining attachments to misuse reports to determine whether any privileges or exemptions apply that require redaction. We anticipate that additional responsive, non-exempt records will be available on or about October 28, 2022.

Sincerely,



DANIELLE BROUSSEAU  
Staff Services Manager I  
California Justice Information Services Division

For ROB BONTA  
Attorney General