



## CHIEFS'/SHERIFF'S MANAGEMENT COMMITTEE

Christie Calderwood Carlsbad Police Department

Roxana Kennedy Chula Vista Police Department

Chuck Kaye, **Chair** Coronado Police Department

Mike Moulton El Cajon Police Department

Ed Varso Escondido Police Department

Ray Sweeney La Mesa Police Department

Jose Tellez, National City Police Department

Kedrick Sadler Oceanside Police Department

Summer Stephan San Diego County District Attorney's Office

Tamika Nelson San Diego County Probation Department

> Magda Fernandez San Diego Harbor Police

Sandra Albrektsen San Diego Police Department

Kelly Martinez San Diego County Sheriff's Department

> Anthony Ray ARJIS Director

Octavio Rodriguez Ferreira Principal Research Analyst, Data Science

# Chiefs/Sheriff's Management Committee

Wednesday, November 1, 2023 9:45 a.m.

HIDTA Headquarters 9665 Granite Ridge Drive, Suite 100 San Diego, CA 92123

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Welcome to SANDAG. The Chiefs'/Sheriff's Management Committee will be held in person only. Members of the public may speak to Chiefs'/Sheriff's Management Committee on any item at the time the Chiefs'/Sheriff's Management Committee is considering the item. Public speakers are limited to three minutes or less per person. The Chiefs'/Sheriff's Management Committee may only take action on any item appearing on the agenda.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG also provides access to all agenda and meeting materials online at sandag.org/meetings. Additionally, interested persons can sign up for email notifications at sandag.org/subscribe. A physical copy of this agenda may be viewed at the SANDAG Toll Operations Office, 1129 La Media Road, San Diego, CA 92154, at any time prior to the meeting.

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Бесплатная языковая помощь | Assistência linguística gratuita | मुफ़्त भाषा सहायता | Assistance linguistique gratuite | ਖ਼ੈੜੂਘਨਾਜ਼ਮਾਰਜ਼ਜ਼ੇਜ਼ਾਂਲ੍ਹਿ | ఉచిత భాషా సహాయం | ການຊ່ວຍເຫຼືອດ້ານພາສາຟຣິ | Kaalmada Luqadda ee Bilaashka ah | Безкоштовна мовна допомога | sandag.org/LanguageAssistance | (619) 699-1900

Vision Statement: Pursuing a brighter future for all

Mission Statement: We are the regional agency that connects people, places, and innovative ideas by implementing solutions with our unique and diverse communities.

**Our Commitment to Equity:** We hold ourselves accountable to the communities we serve. We acknowledge we have much to learn and much to change; and we firmly uphold equity and inclusion for every person in the San Diego region. This includes historically underserved, systemically marginalized groups impacted by actions and inactions at all levels of our government and society.

We have an obligation to eliminate disparities and ensure that safe, healthy, accessible, and inclusive opportunities are available to everyone. The SANDAG equity action plan will inform how we plan, prioritize, fund, and build projects and programs; frame how we work with our communities; define how we recruit and develop our employees; guide our efforts to conduct unbiased research and interpret data; and set expectations for companies and stakeholders that work with us.

We are committed to creating a San Diego region where every person who visits, works, and lives can thrive.

## **Chiefs'/Sheriff's Management Committee**

Wednesday, November 1, 2023

#### **Comments and Communications**

## 1. Non-Agenda Public Comments/Member Comments

Members of the public shall have the opportunity to address the Chiefs'/Sheriff's Management Committee (CSMC) on any issue within the jurisdiction of CSMC that is not on this agenda. Public speakers are limited to three minutes or less per person. Public comments under this agenda item will be limited to five public speakers. If the number of public comments under this agenda item exceeds five, additional public comments will be taken at the end of the agenda. CSMC members and SANDAG staff also may present brief updates and announcements under this agenda item.

## Reports

## +2. Approval of Meeting Minutes

Approve

The CSMC is asked to review and approve the minutes from its June 7, 2023, meeting.

CSMC Minutes, June 7, 2023.pdf

## 3. ARJIS Update

Information

Tony Ray, ARJIS

Staff will present an update on current advancements in ARJIS's ongoing projects.

## 4. SANDAG's Mid-Year Crime Statistics

Information

Dr. Octavio Rodriguez Ferriera, SANDAG

Staff will present findings from SANDAG's Mid-Year Crime Bulletin.

## +5. ARJIS Update: California Senate Bill 54

Discussion

Tony Ray, ARJIS

Staff will present an update on efforts taken by the Automated Regional Justice Information System to implement Senate Bill 54, based on guidance from the California Attorney General, and in coordination with the San Diego County Sheriff's Department.

ARJIS Update: California Senate Bill 54.pdf

Att. 1 - California Justice Information Services, Information Bulletin, October 1, 2018.pdf Supporting Materials.pdf

## 6. ARJIS Technical/User Working Group

Information

Tony Ray, ARJIS

Staff will present an update on the ARJIS Technical/User Working Group. Supporting Materials.pdf

## 7. ARJIS Business Working Group

Information

Caroline Stevens, ARJIS

Staff will present an update on the ARJIS Business Working Group meeting.

## 8. ARJIS UASI Proposals

Information

Tony Ray, ARJIS

Staff will present an update on proposed UASI grants. Supporting Materials.pdf

## 9. Upcoming Meetings

The next CSMC meeting is scheduled for Wednesday, December 6, 2023, at 9.45~a.m.

## 10. Adjournment

+ next to an agenda item indicates an attachment



## **Chiefs'/Sheriff's Management Committee**

November 1, 2023

## June 7, 2023, Meeting Minutes

Chair Chuck Kaye (Coronado Police Department) called the meeting of the ARJIS Chiefs'/Sheriff's Management Committee (CSMC) to order at 9:45 a.m.

#### 1. Public Comments/Communications/Member Comments

There were no public or member comments.

## 2. Approval of Meeting Minutes

There were no public comments on this item.

<u>Action</u>: Upon a motion by Chief Ray Sweeney (La Mesa Police Department) and a second by Assistant Chief Christie Calderwood (Carlsbad Police Department), the CSMC voted to approve the minutes from its April 19, 2023, meeting.

The motion passed.

Yes: Chair Kaye, Assistant Chief Calderwood, Assistant Chief Phil Collum (Chula Vista Police Department), Deputy Director Lisa Rodelo (Escondido Police Department), Chief Sweeney, Captain Chris Sullivan (National City Police Department), Deputy Chief Investigator Bao Luu (San Diego County District Attorney), Captain Scott Wahl (San Diego Police Department), and Commander Rick Lopez (San Diego County Sheriff's Department).

No: None.

Abstain: None.

Absent: El Cajon Police Department, Oceanside Police Department, and San Diego Harbor Police Department.

## Reports

## 3. ARJIS Update

ARJIS Director Tony Ray presented an update on current ARJIS advancements and ongoing projects:

Tony Ray noted that upon approval from the Board of Directors, the ARJIS JPA will be sent to all jurisdiction's City Managers for signatures.

There were no public comments on this item.

Action: Information only.

## 4. 43 Years of Crime in the San Diego Region: Findings of the CJ Division

Criminal Justice Research Division Principal Research Analyst Dr. Octavio Rodriguez-Ferriera presented an overview of crime in the San Diego region in 2022.

There were no public comments on this item.

Action: Information only.

## 5. ARJIS Technical/User Working Group

Tony Ray presented the item and outlined the Technical and User Working Group charter and the group's roles and responsibilities.

There were no public comments on this item.

Action: Information only.

## 6. ARJIS Business Working Group Recap

ARJIS Senior Research Analyst Caroline Stevens summarized the discussions from the ARJIS Business Working Group meeting on May 23, 2023.

There were no public comments on this item.

Action: Information only.

## 7. ARJIS CY 23 Workplan

Caroline Stevens presented the updated ARJIS Workplan proposed by CSMC. The revision involved reorganizing the projects based on their significance and urgency. The top five projects, in order of importance, are 1) NIBRS/CIBRS Quality Control; 2) Mapping Dashboard; 3) Image Comparison; 4) Probation Interface; and 5) Regional Narrative Sharing. Once approved, the ARJIS team will execute the work plan in accordance with CSMC's suggestions.

<u>Action</u>: Upon a motion by Assistant Chief Collum. and a second by Assistant Chief Calderwood, the CSMC voted to approve the ARJIS CY 23 Workplan.

The motion passed.

Yes: Chair Kaye, Assistant Chief Calderwood, Assistant Chief Collum, Deputy Director Rodelo, Chief Sweeney, Captain Sullivan, Deputy Chief Investigator Luu, Captain Wahl, Chief Tamika Nelson (San Diego County Probation Department), and Commander Lopez.

No: None.

Abstain: None.

Absent: El Cajon Police Department, Oceanside Police Department, and San Diego Harbor Police Department.

## 8. Upcoming Meeting

The CSMC meeting originally scheduled for Wednesday, July 5, 2023, has been canceled. Please note that the regular meeting on August 2, 2023, has also been canceled.

The next CSMC meeting is scheduled for Wednesday, September 6, 2023, at 9:45 a.m.

## 9. Adjournment

Chair Kaye adjourned the meeting at 10:40 a.m.

# **Confirmed Attendance at Chiefs'/Sheriff's Management Committee Meeting**

June 7, 2023

Chief Mickey Williams, 1st Alt No Police Manger Cindy Anderson, 2nd Alt Yes Chief Roxana Kennedy No Assistant Chief Phil Collum, 1st Alt Yes Captain Eric Thunberg, 2nd Alt No Coronado Police Department Chief Chuck Kaye, Chair Yes Captain Laszlo Waczek, 1st Alt No Captain Dustin Kulling, 2nd Alt No Captain Dustin Kulling, 2nd Alt No Captain Dustin Kulling, 2nd Alt No Captain Police Department Chief Mike Moulton No Captain Rob Ransweiler, 1st Alt Yes Captain Matt Nicholas, 1st Alt No Captain Greg Runge, 2nd Alt No Captain Greg Runge, 2nd Alt No Captain Greg Runge, 2nd Alt No Captain Chief Sullivan, 2nd Alt Yes Chief Kedrick Sadler No Captain Chris Sullivan, 2nd Alt Yes Chief Kedrick Sadler No Captain Sean Marchand, 1st Alt No District Attorney Chief Investigator Jorge Duran, 1st Alt No Deputy Chief Investigator Bao Luu, 2nd Alt Yes San Diego County Probation Department Assistant Chief Denise Huffhines, 1st Alt No Chief Magda Fernandez No Chief	Jurisdiction	Name	Attended
Chief Mickey Williams, 1st Alt No Police Manger Cindy Anderson, 2nd Alt Yes Chief Roxana Kennedy No Assistant Chief Phil Collum, 1st Alt Yes Captain Eric Thunberg, 2nd Alt No Coronado Police Department Captain Laszlo Waczek, 1st Alt No Captain Laszlo Waczek, 1st Alt No Captain Dustin Kulling, 2nd Alt No Captain Police Department Captain Robs Ransweiler, 1st Alt No Chief Rangda Fernandez No Chief Rangda Fernandez No Chief Rangda Fernandez No Captain Robs Rangda Fernandez No Captain Rangda Rangd	Carlsbad Police Department	Assistant Chief Christie Calderwood	Yes
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National City Police Department Captain Alejandro (Alex) Hernandez, 1st Alt Yes  Oceanside Police Department Captain Chris Sullivan, 2nd Alt Yes  Chief Kedrick Sadler Captain Sean Marchand, 1st Alt No  District Attorney Summer Stephan No  San Diego County District Attorney Chief Investigator Jorge Duran, 1st Alt No Deputy Chief Investigator Bao Luu, 2nd Alt Yes  San Diego County Probation Department Assistant Chief Denise Huffhines, 1st Alt No  San Diego Harbor Police Department Chief Magda Fernandez Vacant, 1st Alt No  Assistant Chief Sandra Albrektsen No  San Diego Police Department Captain Scott Wahl, 1st Alt Captain Danny Grubbs, 2nd Alt No  San Diego County Sheriff's Department Undersheriff Rich Williams, 1st Alt No		Captain Greg Runge, 2nd Alt	No
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Oceanside Police Department  Chief Kedrick Sadler Captain Sean Marchand, 1st Alt No District Attorney Summer Stephan No San Diego County District Attorney Chief Investigator Jorge Duran, 1st Alt No Deputy Chief Investigator Bao Luu, 2nd Alt Yes  San Diego County Probation Department Assistant Chief Denise Huffhines, 1st Alt No Chief Magda Fernandez Vacant, 1st Alt No Assistant Chief Sandra Albrektsen No San Diego Police Department Captain Scott Wahl, 1st Alt Captain Danny Grubbs, 2nd Alt No Sheriff Kelly Martinez Undersheriff Rich Williams, 1st Alt No Undersheriff Rich Williams, 1st Alt No	National City Police Department	Captain Alejandro (Alex) Hernandez, 1st Alt	No
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Captain Sean Marchand, 1st Alt  District Attorney Summer Stephan  No  San Diego County District Attorney  Chief Investigator Jorge Duran, 1st Alt  No  Deputy Chief Investigator Bao Luu, 2nd Alt  Yes  San Diego County Probation Department  Assistant Chief Denise Huffhines, 1st Alt  No  Chief Magda Fernandez  Vacant, 1st Alt  No  Assistant Chief Sandra Albrektsen  No  San Diego Police Department  Captain Scott Wahl, 1st Alt  Captain Danny Grubbs, 2nd Alt  No  Sheriff Kelly Martinez  Undersheriff Rich Williams, 1st Alt  No  Undersheriff Rich Williams, 1st Alt  No  No  No  No  No  No  No  No  No  N	Oceanside Police Department	Chief Kedrick Sadler	No
San Diego County District Attorney Chief Investigator Jorge Duran, 1st Alt Deputy Chief Investigator Bao Luu, 2nd Alt Yes  San Diego County Probation Department Assistant Chief Denise Huffhines, 1st Alt No  Chief Magda Fernandez Vacant, 1st Alt No  Assistant Chief Sandra Albrektsen No  San Diego Police Department Captain Scott Wahl, 1st Alt Captain Danny Grubbs, 2nd Alt No  San Diego County Sheriff's Department Undersheriff Rich Williams, 1st Alt No		Captain Sean Marchand, 1st Alt	No
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Department  Assistant Chief Denise Huffhines, 1st Alt  No  Chief Magda Fernandez  Vacant, 1st Alt  No  Assistant Chief Sandra Albrektsen  No  San Diego Police Department  Captain Scott Wahl, 1st Alt  Captain Danny Grubbs, 2nd Alt  Sheriff Kelly Martinez  Undersheriff Rich Williams, 1st Alt  No  No  No  No  No  No  No  No  No  N	San Diego County Probation Department	Chief Tamika Nelson	Yes
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Vacant, 1st Alt No Assistant Chief Sandra Albrektsen No San Diego Police Department Captain Scott Wahl, 1st Alt Captain Danny Grubbs, 2nd Alt No Sheriff Kelly Martinez No Undersheriff Rich Williams,1st Alt No	San Diego Harbor Police Department	Chief Magda Fernandez	No
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Sheriff Kelly Martinez No San Diego County Sheriff's Department Undersheriff Rich Williams,1st Alt No		Captain Scott Wahl, 1st Alt	Yes
San Diego County Sheriff's Department Undersheriff Rich Williams,1st Alt No		Captain Danny Grubbs, 2nd Alt	No
Department Ondersneriii Rich Williams, 1st Alt No	San Diego County Sheriff's Department	•	No
		Undersheriff Rich Williams,1st Alt	No
		Commander Rick Lopez	Yes



## **Chiefs'/Sheriff's Management Committee**

Item: 5

November 1, 2023

## **ARJIS Update: California Senate Bill 54**

#### Overview

In December 2019, a report was presented to the SANDAG Public Safety Committee that included a summary of Senate Bill 54 (2018, De León) (SB 54), which amended the California Government Code and Health and Safety Code, and its impact on local criminal justice information systems in San Diego County. Based on guidance from the California Attorney General and in coordination with the San Diego County Sheriff's Department, the Automated Regional Justice Information System (ARJIS) took steps to implement changes to the ARJIS system, which are described in more detail below. This update is being provided in response to community concerns shared with SANDAG regarding the use of information in ARJIS.

#### Action: Discussion

Staff will present an update on efforts taken by the Automated Regional Justice Information System to implement Senate Bill 54, based on guidance from the California Attorney General, and in coordination with the San Diego County Sheriff's Department.

## **Fiscal Impact:**

None.

## Schedule/Scope Impact:

None.

## **Background**

ARJIS is a criminal justice data-sharing hub in San Diego County that enables law enforcement agencies to work more efficiently in our region by facilitating interagency cooperation to address crime. Over 5,000 state, local, and federal law enforcement personnel from over 60 agencies use ARJIS through the California Law Enforcement Telecommunications System (CLETS). The San Diego County Sheriff's Department is the region's Controlling Agency monitoring compliance with CLETS policies and procedures.

#### Senate Bill 54

SB 54 became effective on January 1, 2018, and limits state and local law enforcement assistance in immigration enforcement in the State of California. On October 1, 2018, the Criminal Justice Information Systems (CJIS) Division of the California Department of Justice (DOJ) released an Information Bulletin (Attachment 1) providing guidance to law enforcement agencies on best practices regarding the governance of databases affected by SB 54.

In February 2019, the California DOJ CJIS Division released an updated Policies, Practices, and Procedures Manual for the use of CLETS. The update included policy changes related to SB 54 and outlines the requirements for the use of CJIS information, as well as directives for user audits, access, and security.

In implementing changes to the ARJIS system under SB 54, ARJIS coordinated with the CLETS Controlling Agency in the region, the San Diego County Sheriff's Department, and took the following actions:

- <u>Immigration Records Access Removed</u>: ARJIS removed access to immigration-related records for all users.
- <u>Immigration Terms Deleted</u>: ARJIS removed the ability for agencies to share new data with references to immigration status in its applications, including criminal charges and identification types using terms such as "illegal alien," "federal immigration," and "undocumented."
- Reason for Search Language: ARJIS updated its database systems to require that users enter a
  valid reason, such as a crime case number, for each database search. This makes security audits
  of user searches easier by confirming that each search is conducted for a valid reason.
- <u>Login Screen Language Updated</u>: ARJIS added the California DOJ-recommended acknowledgment language to the criminal misuse warnings on each of its' application login screens.

"Federal, state or local law enforcement agencies shall not use any non-criminal history information contained within this database for immigration enforcement purposes. This restriction does not pertain to any information that is regarding a person's immigration or citizenship status pursuant to 8 U.S.C. §§ 1373 and 1644."

ARJIS Training Updated: ARJIS updated its training materials to include warnings about misuse
of the system for immigration enforcement.

Specific to Immigration and Customs Enforcement (ICE) access to the ARJIS database, the California DOJ guidance from October 2018, provided that federal immigration authorities should not be denied access to law enforcement databases solely based on their status as a federal immigration authority. ICE Enforcement and Removal Operations (ERO) chose not to sign a new CLETS Subscriber Agreement that requires system users to comply with SB 54 and subsequently ARJIS disabled all ICE ERO accounts in October 2019, consistent with a similar action taken by the San Diego County Sheriff's Department.

## **Next Steps**

ARJIS will continue to monitor guidance related to SB 54 and take appropriate steps in collaboration with its member agencies.

## Anthony Ray, ARJIS Director

Key Staff Contact: Anthony Ray, (619) 699-6971, aray@sandag.org

Attachment: 1. California Justice Information Services, Information Bulletin, October 1, 2018

California Department of Justice CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION Joe Dominic, Chief



# INFORMATION BULLETIN

Subject:

California Values Act's Database Guidance

No. 18-10-CJIS

Date:

10-01-2018

Contact for information:

CLETS Administration Section CAS@doj.ca.gov

TO: ALL CHIEFS OF POLICE, SHERIFFS, and EXECUTIVES OF CALIFORNIA LAW ENFORCEMENT AGENCIES

## **DATABASE GUIDANCE - Senate Bill 54**

This Information Bulletin (IB) provides guidance to state and local law enforcement agencies (LEAs) on best practices regarding the governance of databases regarding Senate Bill (SB) No. 54 (De León; 2017-2018 Regular Sessions) ("the Values Act") to ensure information is limited for immigration enforcement purposes to the fullest extent practicable and consistent with federal and state law. The Values Act mandates that the Attorney General, by October 1, 2018, publish "guidance, audit criteria, and training recommendations aimed at ensuring that" databases operated by state and local law enforcement agencies "are governed in a manner that limits the availability of information therein to the fullest extent practicable and consistent with federal and state law, to anyone or any entity for the purpose of immigration enforcement." LEAs are strongly encouraged to review and update their existing database governance policies consistent with this guidance.

This IB is not intended to displace any current policies that are aligned with or provide greater protections than those included herein. Nor does the lack of a particular recommendation necessarily indicate disapproval of any policy. Rather, this IB provides some foundational recommendations and should serve as a resource to enhance current policies with respect to the Values Act's goal of ensuring that databases are governed in a manner that limits the availability of information to the fullest extent practicable and consistent with federal and state law for the purpose of immigration enforcement.

## **GUIDING PRINCIPLES**

In enacting the Values Act, the Legislature determined that "a relationship of trust between California's immigrant community and state and local agencies is central to the public safety of the people of California." (Gov. Code, § 7284.2.) The Values Act's core purpose is to ensure effective policing and to protect the safety, well-being, and constitutional rights of all the people of California, regardless of immigration status. The Values Act set the parameters under which LEAs may engage in "immigration enforcement." "Immigration enforcement," as defined by the Values Act, includes any efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry, reentry to, or employment in, the United States.

The Values Act generally prohibits LEAs from using agency or department moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, including providing personal information for that purpose. (Gov. Code, § 7284.6, subd. (a)(1)(D).) The Values Act, however,

Information Bulletin California Values Act's Database Guidance Page 2

permits LEAs to participate in law enforcement task forces, including sharing confidential information pursuant

to these task forces, where the primary purpose of the task force is not immigration enforcement. (Gov. Code, § 7284.6, subd. (b)(3).) And, the Values Act permits LEAs to provide immigration authorities with information about a person's criminal history accessible through the California Law Enforcement Telecommunications System (CLETS). (Gov. Code, § 7284.6, subd. (b)(2).) The specific requirements for LEAs under the Values Act are set forth more fully in IB 2018-DLE-01, and specific data reporting requirements can be referenced in IB 18-02-CJIS.

Additional principles of state and federal law should also be used to guide LEAs in developing database governance policies that limit the availability of information for purposes of immigration enforcement. Under California law, LEAs are generally prohibited from asking a person about his or her immigration status. (Gov. Code, §7284.6, subd. (a)(1)(A).) Also, LEAs are restricted from sharing personal information about a person that is not available to the public, and that is not attached to a person's criminal history. (Gov. Code, § 7284.6, subd. (a)(1)(D), (b)(2).) Notwithstanding that prohibition, consistent with federal law, 8 U.S.C. § 1373, nothing in this IB prohibits or restricts LEAs from sending or receiving information regarding a person's immigration status or citizenship status to or from federal immigration enforcement authorities, or prohibits or restricts LEAs from maintaining information regarding a person's immigration status.¹ Federal courts have found that Section 1373 only prohibits restrictions on the sharing of immigration or citizenship status information, and not restrictions on the sharing of home and work addresses, and release dates.² Courts have also found 8 U.S.C. § 1373 to be unconstitutional under the Tenth Amendment of the U.S. Constitution, so LEAs should ask their counsel to monitor developments in the law.³

Consistent with federal and state law, this IB offers guidance on steps LEAs can take to govern the use of criminal justice information (CJI) that is non-criminal history information. Non-criminal history information contained within databases accessed through CLETS, other DOJ criminal justice information systems, as well as LEAs' individual databases should not be used for the purpose of immigration enforcement. And, any implementation of the policy recommendations in this IB should be applied to all law enforcement agencies equally, regardless of whether they are federal, state, or local law enforcement. Federal immigration authorities should not be denied access to law enforcement databases solely based on their status as a federal immigration authority, so long as they comply with the policies governing use of the databases.

## GUIDANCE SURROUNDING USE OF NON-CRIMINAL HISTORY INFORMATION

All users should agree that they will not use any information for purposes of immigration enforcement, as defined in California Government Code section 7284.4, subdivision (f), with respect to an individual who does not possess a criminal history. Individuals who have a criminal history include those with a prior criminal arrest or conviction. This restriction does not impact persons with criminal records within CJI systems. Users are also not prohibited or restricted from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities information regarding a person's immigration status, maintaining such information, or exchanging such information with any other federal, state, or local government entity, pursuant to 8 U.S.C. §§ 1373 and 1644.

<sup>&</sup>lt;sup>1</sup> 8 U.S.C. § 1373(a), (b).

<sup>&</sup>lt;sup>2</sup> United States v. California (E.D. Cal. 2018), 314 F. Supp. 3d 1077, 1101-04; City of Philadelphia v. Sessions (E.D. Pa. June 6, 2018), ---F.Supp.3d ---, 2018 WL 2725503, at \*35; Steinle v. City and County of San Francisco (N.D. Cal. 2017) 230 F.Supp.3d 994, 1015-1016.

<sup>&</sup>lt;sup>3</sup> City of Chicago v. Sessions (N.D. III. July 27, 2018) --- F.Supp.3d ---, 2018 WL 3608564, at \*10; Philadelphia, 309 F.Supp.3d at 331; see also California, 314 F.Supp.3d at 1101 (finding Section 1373's constitutionality "highly suspect").

LEAs are encouraged to adopt the following policies surrounding the use of non-criminal history data:

- 1. As part of any application, memorandum of understanding, or agreement to access any law enforcement databases, LEAs should inquire regarding the purpose for which the LEA intends to use the information contained within the database. Users who state that they will be using the information for immigration enforcement purposes should be required, as a condition for accessing the database, to agree that they will only do so for those individuals with a criminal history, or for information regarding the immigration or citizenship status of any individual. Users should likewise be required to agree they will not use non-criminal history information, aside from information regarding immigration or citizenship status, for immigration enforcement purposes.
- 2. Database login screens should be updated to include instruction on the proper use of the information contained in the database. Sample language is provided below:
  - "Federal, state or local law enforcement agencies shall not use any non-criminal history information contained within this database for immigration enforcement purposes. This restriction does not pertain to any information that is regarding a person's immigration or citizenship status pursuant to 8 U.S.C. §§ 1373 and 1644."
- 3. Any policies governing the use of non-criminal history information should include the above-referenced language.
- 4. Any data sharing agreements, memorandums of understanding, and/or contracts between law enforcement agencies and vendors/service providers should be updated to reflect policies that prohibit the use of non-criminal history information for immigration enforcement purposes.
- 5. Limit, wherever possible, the collection of personal information of victims and witnesses of crime(s). Further, consider adopting retention periods no longer than is necessary to fulfill the purpose justifying collection of the information.
- 6. Agencies should survey their databases to determine which databases contain criminal history information, non-criminal history information, and/or both criminal history and non-criminal history information to assist with audits, training, and policy compliance.

## TRAINING RECOMMENDATIONS FOR NON-CRIMINAL HISTORY INFORMATION

1. Initial security awareness training for new employees and ongoing biannual recertification should be updated to include questions to demonstrate knowledge of the updated governance policies regarding, limitations on the use of non-criminal history information for immigration enforcement purposes.

## AUDIT CRITERIA FOR NON-CRIMINAL HISTORY INFORMATION

 When internal database compliance audits are conducted, agencies should ensure database users are in compliance with policies that limit the use of non-criminal history information for immigration enforcement purposes. 2. Agencies should update internal policies regarding the reporting of misuse of non-criminal history information that is used for immigration enforcement purposes.

Sincerely,

JOE DOMINIC, Chief

California Justice Information Services Division

For XAVIER BECERRA

Attorney General



**ARJIS**Senate Bill 54 Update

Chiefs'/Sheriff's Management Committee| Item # 5
Anthony Ray, Director, ARJIS
November 1, 2023

1

# **Background**

## **ARJIS (Automated Regional Justice Information System)**

- Criminal justice information sharing hub
- Allows agencies to work more efficiently by facilitating interagency cooperation to address crime

## **ARJIS Serves**

- Over 5,000 law enforcement personnel
- · 60 local, state, federal agencies

## San Diego County Sheriff's Department

· Region's CLETS coordinator monitoring policies and procedures

SANDAG | 2

## **SB 54 Overview**

## SB 54 (2018) "The California Values Act"

- Amended the California Government Code
- · Amended the Health and Safety Code
- Impacted local criminal justice information systems
- Limited State and Local Law Enforcement's ability to assist in immigration enforcement

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# **SB 54 Overview (continued)**

## October 1, 2018

• CJIS Information Bulletin providing guidance to agencies regarding governance of databases

## February 2019

- Updated manual for the policies, procedures and practices for CLETS use
- · Manual outlines CJIS requirements for audits, access, and security

## Based on Guidance from the California Attorney General's Office

 And in cooperation with the San Diego County Sheriff's Department ARJIS took steps to Implement changes (Explained Below)

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## **ARJIS Actions**

## **Immigration Access Records Removed**

- ICE ERO declined to sign the CLETS Agreement requiring users to comply with SB 54
  - All ICE ERO accounts disabled in October 2019
  - Removed access to immigration-related records for all users.

## **Immigration Terms Deleted**

Removed the ability for agencies to share new data referencing immigration status in ARJIS
applications, including criminal charges and identification types using terms such as "illegal alien,"
"federal immigration," and "undocumented".

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## **ARJIS Actions (continued)**

## Reason for Search Language Added

• Database systems require users enter a valid reason (e.g., crime case number) for each database search

## Login Screen Language Updated

- Added the California DOJ-recommended acknowledgment language to the criminal misuse warnings on each of its' application login screens
- "Federal, state or local law enforcement agencies **shall not use any non-criminal history information** contained within this database for immigration enforcement purposes. This restriction does not pertain to any information that is regarding a person's immigration or citizenship status pursuant to 8 U.S.C. §§ 1373 and 7644."

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## **ARJIS Actions (continued)**

## **Training Updated**

· Updated its training materials to include warnings about misuse of the system for immigration enforcement

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# Stay connected with ARJIS



Email: helpdesk@arjis.org or aray@sandag.org

Call: Anthony Ray, Director 619.699.6971







## **Crime in the San Diego Region**

Mid-Year 2023

Public Safety Committee | Item #6
Presented by: Dr. Octavio Rodriguez Ferreira,
Principal Criminal Justice Researcher
November 17, 2023

1



# Crime in the San Diego Region Mid-Year 2023

## **Highlights:**

- Transition to NIBRS/CIBRS
- Lower number of crime incidents reported
- · Most violent crimes decreased
- More than half were property crimes
- · Crimes against society reported for the first time

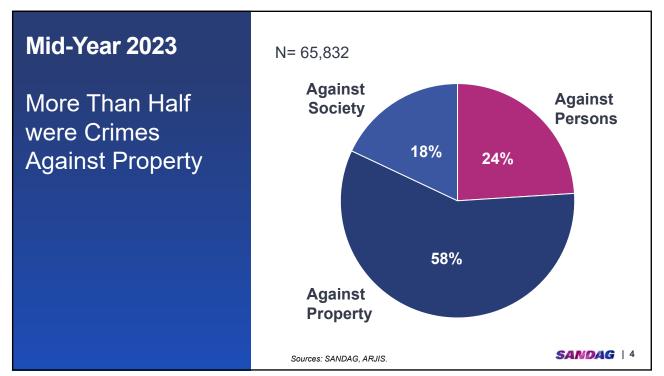
Source: Crime in the San Diego Region. Mid-Year 2023 Statistics. October 2023 Available at sandag.org/cj

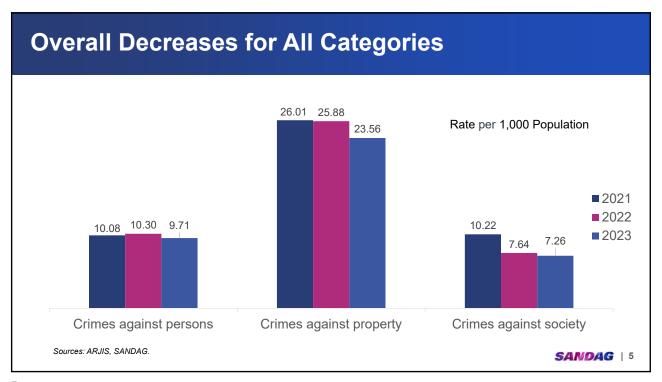
# First Report with NIBRS/CIBRS

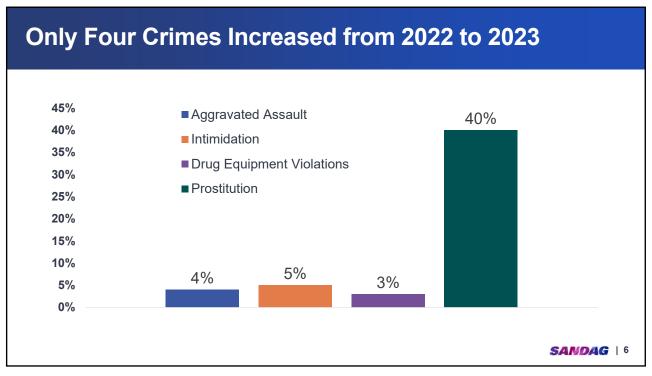
UCR	CIBRS/NIBRS	
Only highest offense counted	Up to ten offenses counted	
4 violent crimes 3 property crimes (Part I offenses)	<ul><li>15 crimes against persons</li><li>26 crimes against property</li><li>11 crimes against society</li><li>(Group A offenses)</li></ul>	
Static database (Sporadically updated )	Dynamic database (Continuously updated)	
No mechanism to track whether crime is attempted or committed	Labels offenses with "A" for attempted and "C" for completed	
Collects weapon information on few cases (homicide, robbery, and aggravated assaults)	Collects weapon information on all violent crimes	

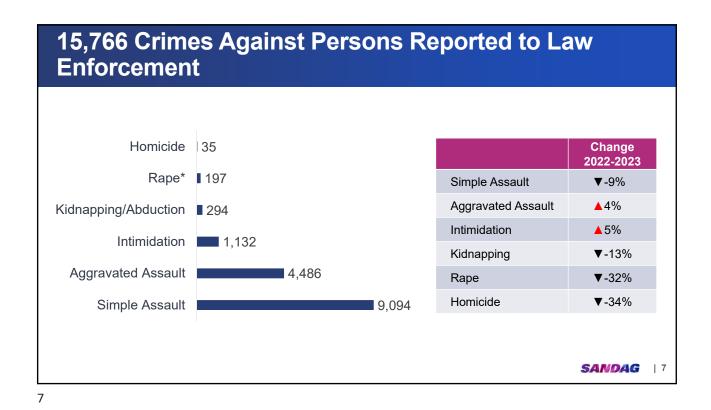
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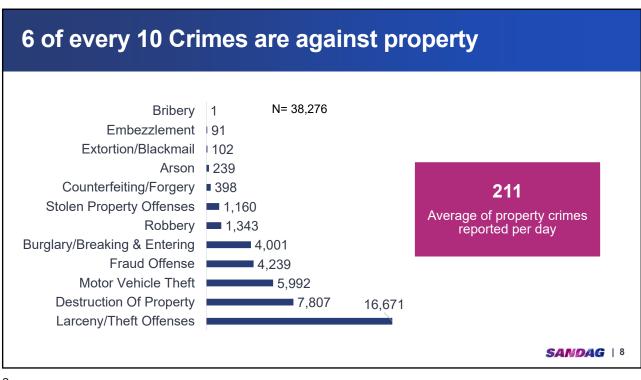
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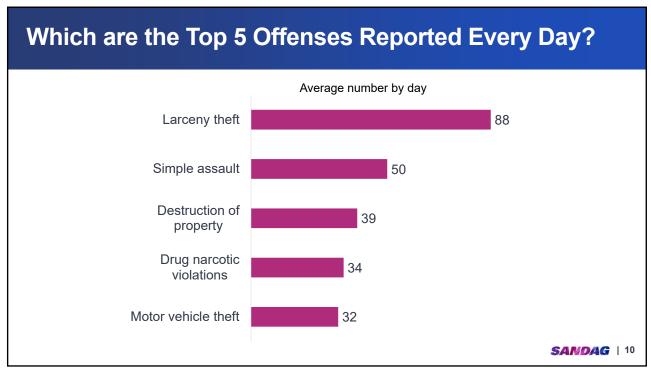


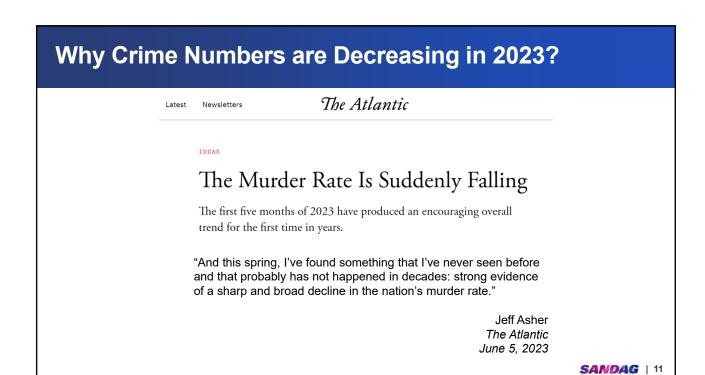


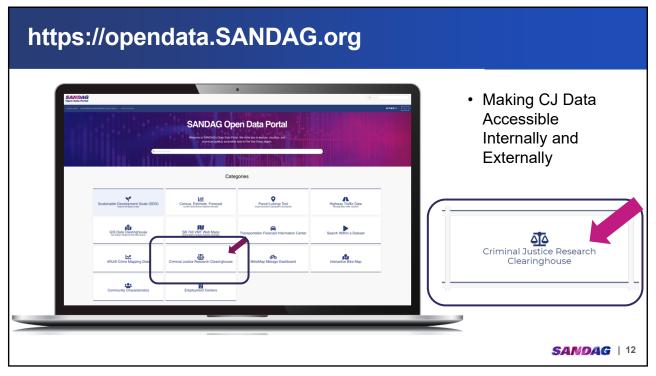


#### **No Comparable UCR Part I Category to Crimes Against Society** 6,666 6,153 2022 2023 3,902 4,038 Prostitution 100 140 Pornography/Ob 33 31 scene Material 1,674 1,430 Gambling 4 4 Offenses 2 27 **Animal Cruelty** Weapons Law **Drug Equipment** Drug/Narcotic Violation Violations Violations **■**2022 **■**2023 SANDAG | 9

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Explore our websites:
SANDAG.org/cj
OPENDATA.SANDAG.org

Email: oro@sandag.org





# **ARJIS**FY 2024 UASI Request

Chiefs'/Sheriff's Management Committee | Item # 8 Anthony Ray, Director, ARJIS November 1, 2023

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# **ARJIS – Cyber Security - Sentinel**

**Description**: Microsoft Sentinel, a single solution for:

- · Attack detection,
- Threat visibility,
- Proactive hunting, and
- Threat response.

Funding Details: Total: \$200,000

- Microsoft's Cloud-based Sentinel = \$100,000
- Estimated consultant cost for management of Sentinel environment for 12 months = \$100,000

Regional Benefit: Enhanced cyber security

SANDAG | 2

## **ARJIS – Cloud Transformation**

## **Description**:

 Purchase consulting services to assist in the next phase of the ARJIS cloud transformation.

## Funding Details: Total: \$200,000

 Obtain consulting services to supplement ARJIS staff in performing Cloud Transformation = \$200,000

## **Regional Benefit:**

- Improve the cybersecurity defenses of ARJIS applications and data
- Provide a more resilient and dynamic platform for new and changing requirements from our member agencies.

SANDAG | 3

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## **ARJIS – Disaster Recovery**

## Description:

- Upgrade current ARJIS backup & recovery tools
- Provide a full redundant system for its members.

## Funding Details: Total: \$500,000

- Hybrid solution resources for backup & recovery = \$350,000
- Consultant cost for installation and maintenance = \$150,000

## Regional Benefit:

 Provide 24x7 uninterrupted access to all ARJIS systems & services for all member agencies.

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## **ARJIS - Regional Training Program**

## **Description:**

- · Provide regional training to local public safety agencies on
  - ARJIS desktop and mobile device applications,
  - New Mapping Application, New CrimeTracer (Coplink X)
  - Etc.

## **Funding Details:**

Continue funding one full-time position = \$150,000

## Regional Benefit:

- Supports 60+ state, local and federal public safety agencies
- Supports 5000+ users, including officers, deputies, agents, detectives, crime analysts, etc.

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## **ARJIS – Artificial Intelligence (AI) Integration**

#### **Description:**

- Integrating Artificial Intelligence (AI) into database search infrastructure (e.g., SRFERS, e-query).
- Create a foundation to expand Al capabilities into ARJIS products/services.

## Funding Details: \$200,000

- Hiring a Senior Programmer Analyst/Consultant to Research and develop Al algorithms,
- Procurement of software, and on-going maintenance and support = \$200,000

## Regional Benefit:

- Swift and accurate information retrieval
- · Improve situational awareness / enhance officer safety
- · Reduce operational burden

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# **Questions?**

# **Stay connected with ARJIS**



Explore our website www. arjisnet.org



Email: helpdesk@arjis.org



Help Desk (619) 699-7100





AUTOMATED REGIONAL JUSTICE INFORMATION SYSTEM