

INFORMATION SYSTEMS

Learning Domain 36

SESSION DESCRIPTION

Event 1

Session 36

This session will introduce the Los Angeles Police Department Recruit Police Officers to the State laws, Department of Justice requirements, and Department regulations that govern the appropriate use of the computer systems and information used to complete an investigation, secure officer safety, and protect the public as required by the Police Officer Standard Training (P.O.S.T.) specifications.

Peace officers must know the laws, regulating access and use of the law enforcement information systems to ensure privacy of individuals, the integrity and security of the information and, the penalties for the failure to adhere to the above-mentioned directives.

To maximize the student's learning experience, they will be directed to review the Information Systems Learning Domain 36 before prior to the class session.

California Peace Officer Standards and Training (POST) Learning Outcomes

1. Students will discuss and answer the instructors' questions regarding the crimes involving unlawful access or use of the law enforcement computer system.
2. Students will discuss and answer the instructors' questions regarding the requirements for authorized release of Criminal Offender Record Information (CORI) based on right-to-know and need-to-know.
3. Students will discuss and answer the instructors' questions regarding the crimes related to the unauthorized release, receipt, or use of CORI
 - a. furnishing the information to an unauthorized person,
 - b. lawfully receiving the information and then furnishing it to an unauthorized person.
 - c. purchase, receipt, or possession of the information by an unauthorized person.
4. Students will discuss and answer the instructors' questions regarding the Department of Justice regarding the confirmation of the information obtained from the CLETS network.
5. During this class session, the student will be introduced to the Criminal Justice Information System (CJIS) and the Department of Motor Vehicles (DMV)
 - a. The systems and databases and the types of information provided
 - b. The minimum information required for generating an inquiry into each of the CJIS systems and databases.

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INSTRUCTOR PREPARATION CHECKLIST

The instructor(s) for this course must complete the following requirements to facilitate this course:

1. 2-day, 16-hour training course facilitated and mandated by the California Department of Justice.
2. Academy Instructor Certification Course mandated by Peace Officer Standards and Training (P.O.S.T.)

Overview of events, sessions, and learning outcomes

	Event / session	Event 1 Learning Objectives
Week 16	EV1 S36 Lecture	Students will discuss and answer the instructors' questions regarding the crimes involving unlawful access or use of the law enforcement computer system.
		Students will discuss and answer the instructors' questions regarding the requirements for authorized release of Criminal Offender Record Information (CORI) based on right-to-know and need-to-know.
		Students will discuss and answer the instructors' questions regarding the crimes related to the unauthorized release, receipt, or use of CORI <ol style="list-style-type: none"> a. furnishing the information to an unauthorized person, b. lawfully receiving the information and then furnishing it to an unauthorized person. c. purchase, receipt, or possession of the information by an unauthorized person.
		Students will discuss and answer the instructors' questions regarding the Department of Justice regarding the confirmation of the information obtained from the CLETS network.
		During this class session, the student will be introduced to the Criminal Justice Information System (CJIS) and the Department of Motor Vehicles (DMV) <ol style="list-style-type: none"> a. The systems and databases and the types of information provided b. The minimum information required for generating on inquiry into each of the CJIS systems and databases.

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Week 16

Lecture

SESSION 36 -OVERVIEW

The students' learning experience will be solidified by viewing a powerpoint emphasizing the key points outlined in the learning domain 36 and the Internal Affairs page published by the Professional Standards Bureau

SESSION OBJECTIVES

LO 1	Students will discuss and answer the instructors' questions regarding the crimes involving unlawful access or use of the law enforcement computer system. [36.I, 36.I.B]
LO 2	Students will discuss and answer the instructors' questions regarding the requirements for authorized release of Criminal Offender Record Information (CORI) based on right-to-know and need-to-know. [36.I.C]
LO 3	Students will discuss and answer the instructors' questions regarding the crimes related to the unauthorized release, receipt, or use of CORI a. furnishing the information to an unauthorized person, b. lawfully receiving the information and then furnishing it to an unauthorized person. c. purchase, receipt, or possession of the information by an unauthorized person. [36.I.C, 36.I.D, 36.I.D.I, 36.I.D.2, 36.I.D.3]
LO 4	Students will discuss and answer the instructors' questions regarding the Department of Justice regarding the confirmation of the information obtained from the CLETS network. [36. II. A, 36.III.A, 36.II.B, 36.III.B]
LO 5	During this class session, the student will be introduced to the Criminal Justice Information System (CJIS) and the Department of Motor Vehicles (DMV) a. The systems and databases and the types of information provided b. The minimum information required for generating an inquiry into each of the CJIS systems and databases. [36.I.A]

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Event 1

SESSION 36 LEARNING ACTIVITIES

- The students will answer questions posed by the instructor(s)
- What do the Recruit Police Officers understand regarding the access of the computer systems and the handling of the information?
 - ✓ Students will answer questions regarding Right-to-Know/Need-to-Know, Penal Code Sections 502—Felony and Penal Code Sections 11120-11127 and 13320-13326—Misdemeanors
 - ✓ Show the Internal Affairs (IA) page for the recruits to understand the consequences of unlawful computer access and information misuse.
 - ✓ Add the salary grade in the Memorandum of Understanding (MOU) 24 to the display of the IA page to solidify the cost of misconduct
 - What was the police officer's (level 1 or 2) bi-weekly pay amount?
 - How many days of suspension did the police officer take for his/her misconduct?
 - How much money did this cost the officer?
 - ✓ WIFM (What's In It For Me)?
 - What are your LAPD goals?
 - Promotion
 - Work in specialized units
 - Haven't decided
 - ☐ Whether one has an idea of what they'd like to do in the future or not, misconducts in the personnel package can make achieving these goals difficult.
 - ☐ Suspension days will be added to the end of your service. For example, if you had 25 days suspension, you will need to make up those 25 days at the end of your service.
 - What are your personal goals?
 - Travel
 - ☐ Suspension days will minimize the amount of money you'll have for traveling.
 - Real Estate purchase
 - ☐ Suspension days will minimize the amount of money you'll be able to save for a down payment; financial recovery may not be as easy as you may believe.
 - Spend time with family
 - ☐ If you are prosecuted, convicted, and sentenced to prison, you won't be able to spend time with your family or do anything else you enjoy.
 - What should the Recruit Police Officers understand about confirming the information received from the CLETS network?
 - ✓ Show video
 - ☐ Demonstrates confirmation of information
 - ✓ Discussion

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- What are your questions for me regarding the video?

INSTRUCTIONAL TIPS

1. Instructor **may** tell a personal story emphasizing the appropriate access of the computer systems, use of the information, and penalties for non-compliance or use the first example given in the book on page 1-29 may also be used.

When Jones was 20 years old he was convicted of misdemeanor battery and was arrested once for DUI. He pleaded no contest. Now at 35, Jones has been an exemplary citizen for 10 years. After being turned down for a job, Jones asked his friend, Smith, a probation officer, to find out if his criminal history records have any errors that may have cost him the job. Smith accessed Jones's CORI through CLETS the next day and found out the date of the battery conviction was listed erroneously as last year. Smith made a copy of the record and gave it to Jones. Explain which, if any, crime(s) have been committed and by whom?

2. Instructor **may** tell a personal story demonstrating the importance of confirming the information received from the CLETS network or use the first and/or second examples given in the book on page 1-11.

During a traffic stop, an officer determined that the vehicle and license plate matched a Stolen Vehicle System (SVS) record as a reported stolen vehicle. What should the officer do before arresting the driver or impounding the vehicle?

INSTRUCTOR RESOURCES

1. Instruction will take place in a classroom with the following functioning equipment:
 - a. Computers
 1. LAN 01 for the instructor
 2. Student's laptop
 - b. Powerpoint presentation that emphasizes the key points of the Information Systems learning domain number 36.
 - c. Overhead projector to display the powerpoint presentation on the projector screens.
 - d. Projector screens
2. Instruction may take place in one of the recruit officer classrooms (i.e. 2A, 2B, 1C, etc.) with the following functioning equipment:
 - a. Instructor's Laptop computer
 - b. Powerpoint presentation that emphasizes the key points of the Information Systems learning domain number 36.
 - c. Overhead projector to display the powerpoint presentation from the instructor's laptop
 - d. Projector screens

RECOMMENDED COURSES

Each course instructor must receive certification from the California Department of Justice

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after attending the mandated train-the-trainer session and from the Los Angeles Police Department after completing the Academic Instructor Certification Course (AICC).

ECO Content Review

[36.1.A, 36.1.B, 36.1.C, 36.1.D 1-3]

- I. Introduction to California Law Enforcement Telecommunications System (CLETS) [1]
 - A. Introduction
 1. CLETS is a high-speed message computer network of local, state, and federal databases and systems.
 - a. Provides information from computerized information files to law enforcement users.
 - b. Maintained by the California Department of Justice (DOJ)
 - c. Accessed through the Network Communication Systems (NECS), which is an LAPD only interface.
 - d. Embodies information from the Courts, L.A. County Sheriff's office, LAPD, and other such City departments as Public Works.
 2. Learning Need
 - a. Police officers need to know the laws that regulate the access of the computer systems.
 - b. It is important to use the information received from the systems appropriately to protect the citizens' privacy.
 3. Learning Objective
 - a. Students will be aware of the laws governing the access of the computer terminals and systems.
 - b. The requirements for authorized release of Criminal Offender Record Information (CORI) based upon the right-to-know and the need-to-know.
 - c. Crimes related to the unauthorized release, receipt, or use of CORI
 - d. The requirements of the DOJ regarding the confirmation of information obtained from the CLETS network.
 4. Purpose of CLETS messages
 - a. For confidential and official use only.
 - b. Administrative messages are free text messages that can be sent to other agencies within the state.
 - c. APBs can be sent to Highway Geographic, and Crime Specific groups simultaneously.
 5. The personnel who have access to the CLETS terminals
 - a. Sworn law enforcement personnel
 - b. Non-sworn law enforcement personnel
 - c. Technical or maintenance personnel—(Private vendors and/or ITD)
 - d. Security officers/guards and private detectives/investigators **do not** have the right to access the CLETS terminals.
 - 1) Background investigation is required to receive access to the CLETS terminals.
 - a) California Department of Justice fingerprint checks
 - b) Federal Bureau of Investigations (FBI) fingerprint checks

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- 2) The agency head authorizes/denies access to the CLETS terminals after the background check.
6. Unlawful Access and use
 - a. If law enforcement personnel **knowingly** access the computer systems **outside their normal scope of duties**, that person is in violation of Penal Code Section 502 and has committed a felony.
 - b. Computer systems are not to be used for personal gain.
7. Right-to-know/Need-to-know
 - a. Right-to-know is the **authority by law** to receive information
 - 1) Statutory law
 - 2) Case law
 - 3) Court order
 - b. Need-to-know is the compelling reason to request the information
 - 1) Information is needed to perform duties and responsibilities.
 - 2) Must be on a case for **both** right-to-know/need-to-know is satisfied.
- B. Criminal Offender Record Information (CORI)
 1. Also known as a “rap sheet”
 - a. Name
 - b. Physical description
 - c. Arrests (counts)
 - d. Court proceedings (disposition)
 - e. Custody (jail or prison)
 - f. Parole Probation
 2. Summary of criminal histories maintained by California DOJ and local law enforcement agencies.
 3. Unauthorized use of the information
 - a. Release/receipt of local or state CORI without legal authority is a crime
 - 1) Furnishing CORI to an unauthorized person
 - 2) Lawfully obtaining CORI then furnishing it to an unauthorized person
 - 3) Unauthorized person who purchases, receives, and/or possesses CORI
 - b. Misdemeanor (Penal Code Sections 11120-11127 and 13320-13326)
 - c. Publishers, editors, reporters, other employees of print, radio, or television media may be exempt (Evidence Code 1070)
 - 1) LAPD’s Media Relations Section or Department designated employee should deal with media personnel.
 - a) Press Conferences
 - b) Tactical Situations
 4. Appropriate release of CORI
 - a. LAPD requestor—send request by Department email.
 - b. Outside agencies—send request by facsimile or email on agency’s letterhead.
 5. Access to one’s own CORI
 - a. A person has the right to their own CORI
 - b. Requirements for accessing one’s own CORI
 - 1) File an Application to Obtain a Copy of State Summary Criminal History Record to the California DOJ,

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- 2) Pay a fee to the California DOJ, and
 - 3) Submit fingerprint cards to the FBI
6. Consequences
 - a. Department actions: Admonishment, suspension, or termination
 - b. Legal actions: Criminal prosecution, civil lawsuit, incarceration
 - c. All the above
- C. Supplemental information
1. State Authorized Agency List
 - a. Terminal Operators are not allowed to use CORI for licensing, employment, and certification.
 - b. List created by the Attorney General of law enforcement agencies and personnel who are allowed to access CORI for licensing, employment, and certification
 2. The DOJ's Criminal Records Security Unit
 - a. Conducts routine audits to ensure the appropriate use of the computer systems and information.
 - 1) Terminal/Printer four-character address (mnemonic)
 - 2) Serial number of a subject being investigated for unauthorized access of the computer and misuse of the information.
 - b. Handles complaints from private citizens regarding the misuse of a subject's record.
 - c. Agencies can lose direct access for severe misuse.
 3. Do not **routinely** use these devices to transmit criminal history information because they are wireless and can be intercepted by unauthorized people.
 - a. Mobile Digital Computer (MDC)—CCHRS is available
 - b. Cellular telephones
 - c. Radio transmissions
 - d. Exceptions
 - 1) Hostage situations
 - 2) Armed suspect
- D. Confirmation [**36.I**]
1. CLETS is a "pointer system" that gives information sufficient to establish probable cause, but the information may not be correct or current.
 2. DOJ requires law enforcement to confirm information before taking such actions as:
 - a. Searches
 - b. Seizures
 - c. Arrests
 3. Verify (confirm) information with the originating agency
 - a. Match details
 - b. The person or property is still wanted.
 4. Consequences for not confirming information
 - a. Unlawful searches and seizures
 - b. False arrests

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- c. Law enforcement officers may be held negligent for not accurately confirming information.
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- II. Professional Standards Bureau information
 - A. Emphasis
 1. Internal Affairs Group (IAG) section
 - a. Display the PDINFOWEB page through the Internet Explorer icon
 - 1) Select the **START** button at the bottom left corner of the computer screen.
 - 2) Select Professional Standards Bureau under the Notable Links section on the right side of the PDINFOWEB page.
 - 3) Scroll to the bottom and select the Disciplinary Penalties button
 - 4) Select a year
 - 5) Select a month
 2. Discuss the information
 - a. Affect a CTRL + F to search for “computer” crimes.
 - b. View the various complaints and penalties.
 - c. Instructor may mention any improprieties of which they are aware.
 - B. Questions from students
 - III. Introduction to the Criminal Justice Information System (CJIS) [36.II.A]
 - A. Definition
 1. Network is a computerized system containing records that are of interest to the criminal justice community.
 2. Available through the CLETS network
 3. Maintained by the California Department of Justice
 - B. Instructor summarizes key points regarding each system
 1. Automated Boat System (ABS)
 2. Automated Firearms System (AFS)
 3. Automated Property System (APS)
 4. California Restraining and Protective Order System (CARPOS)
 5. Criminal History System (CHS)
 6. Mental Health Firearms Prohibition System (MHFPS)
 7. Missing/Unidentified Persons System (MUPS)
 8. Stolen Vehicle System (SVS)
 9. Supervised Release File (SRF)
 10. Violent Crime Information Network/Sex and Arson Registration (VCIN/SAR)
 11. Wanted Persons System (WPS)
 - C. Elements to study
 1. Acronym to each system
 2. Definition
 3. Minimum information required to make an inquiry
 4. The information received in a response.
 5. Definition and information received will be the same.
 - VI. Department of Motor Vehicles Systems and Databases [36.II.A]

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- A. Overview
 - 1. Strictly for enforcing the law (Vehicle Code Section 1808.47)
 - 2. Accessible through the CLETS network
- B. Instructor summarizes key points regarding each system
 - 1. Driver License/Identification Card
 - 2. Vehicle/Vessel Registration
 - 3. Parking/Toll Violation
 - 4. Occupational Licensing
 - 5. International Registration Plan
- C. Elements to study
 - 1. Acronym for each system
 - 2. Definition
 - 3. Minimum information required to make an inquiry
 - 4. Information received in a response
 - 5. Definition and information received may be the same.

ASSESSMENT

How will the student demonstrate knowledge?

- 1. The student will answer questions while in class
- 2. The student will achieve a passing grade of eighty percent (80%) on an examination administered by the instructor to assess the student's understanding of the material presented in the class session.
 - a. The exam consists of ten (10) questions
 - 1) Multiple choice
 - 2) Fill in the blank
 - 3) True/False
 - b. The Recruit Coordination Training Unit (RCTU) and the Research and Compliance Unit (RCU) instructors have a copy of the examination.

IDEAS FOR EACH CLASS

The goal of the lecture and examination sessions is for the student to fully understand the importance of the laws that regulate the investigative tools available to them. This should prevent any improprieties involving the use of the computer systems and information.