



CLETS Misuse Data 2018 and Immigration Enforcement

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2018 Misuse by the Numbers

142 violations of CLETS regulations

- 2017: 143 misuse violations

49 agencies reported misuse of CLETS

- 2017: 72 agencies reported misuse

27 investigations are still pending

2018 Discipline by the Numbers

16 people lost or left their jobs because of misuse

15 people suspended because of misuse

5 misdemeanor charges filed, 1 felony charge

10 people reprimanded

What Does the Data Mean?

Chula Vista Police Department: 38 violations

Glendale Police Department: 25 violations

Are they comparable?

Data May Not Tell Full Story

Small problem but widespread:

Chula Vista PD discovered that it was improperly running background checks for concealed weapons permits.

Big problem but isolated:

Glendale PD employee ran dozens of personal searches of women he found attractive.

Recommendations

Misuse form should include:

- 1) Disclose aggregate number of employees engaged in misuse
- 2) Disclose aggregate totals using broad categories of misuse

Immigration Enforcement

CLETS Policies, Practices and Procedures

[F]ederal, state or local law enforcement agencies shall not use any non-criminal history information contained within these databases for immigration enforcement purposes. “Immigration enforcement” includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all 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, or reentry to, or employment in, the United States.

DHS/ICE Misuse in 2018

No investigations opened.

No misuse reported.



“In several recent arrests by ICE, agents had copies of immigrants’ driver’s licenses or other information they provided to the DMV. The arrests underscore a long-standing concern from immigration advocates that laws intended to bring unauthorized immigrants in California out of the shadows expose them to federal immigration enforcement because of widespread database-sharing among law enforcement agencies.”

California Asm. Lorena Gonzalez

“[F]ederal immigration authorities appear to have information about AB 60 license holders in California. While the source of that information is unclear, the Department of Homeland Security (DHS) may access the California Law Enforcement Telecommunications System (CLETS) ... Once DHS has the name of someone it suspects is undocumented and may have had contact with local law enforcement, it may use CLETS to find other identifying information, including the person’s address.”

ICE Orange County

This agency has failed to produce a misuse report.

April 17, 2018 CJIS Bulletin:

"[A]gencies that fail to report misuse annually will be subject to sanctions, up to and including, removal of CLETS service."

Chicago Police Department



Mayor Lori Lightfoot  @chicagosmayor · Jun 21

THREAD 1/ We are all aware of the threat from President Trump regarding raids by ICE, and in response, Chicago has taken concrete steps to support our immigrant communities.

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Mayor Lori Lightfoot 

@chicagosmayor

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2/ I have directed – and Superintendent Johnson has confirmed – that CPD has terminated ICE's access to CPD's databases related to federal immigration enforcement activities.

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Recommendations

1. Begin suspension process for ICE's Orange County division
2. Closely monitor DHS/ICE access to CLETS
 - a. If misuse is suspected, suspend DHS/ICE access and require these agencies to submit written requests for information. Evaluate on case-by-case basis.
3. Audit DHS/ICE use of CLETS for 2018

Questions?

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