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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 6. DEPARTMENT OF JUSTICE [15000 - 15204] (Part 6 added by Stats. 1945, Ch. 118.)

CHAPTER 2.5. California Law Enforcement Telecommunications System [15150 - 15169] (Chapter 2.5 added by Stats. 1965, Ch. 1595.)

15150. (a) It is the intent of the Legislature that the Department of Justice shall commence to operate under this chapter as soon as feasible, but until such time, the department shall continue to operate under Article 8 (commencing with Section 13240) of Chapter 2, Part 3, Division 3, Title 2 of this code, and Chapter 2 (commencing with Section 15100) of this part. Accordingly, the department shall not discontinue service to any connection point to which it is required to furnish services at state expense until it has made the determination, has given notice, and the notice period has elapsed, as provided in subdivision (b).

(b) At such time as the Attorney General concludes that he can furnish service to one location in any county in compliance with the requirements of Section 15161, he shall so certify and shall send notice of such certification to each agency in the county connected with the state system. Thirty days after the sending of such notice, service to any connection point in the county other than the one location selected pursuant to Section 15161 shall no longer be at state expense.

(Added by Stats. 1965, Ch. 1595.)

15151. The maintenance of law and order is, and always has been, a primary function of government and is so recognized in both Federal and State Constitutions. The state has an unmistakable responsibility to give full support to all public agencies of law enforcement. This responsibility includes the provision of an efficient law enforcement communications network available to all such agencies. It is the intent of the Legislature that such a network be established and maintained in a condition adequate to the needs of law enforcement. It is the purpose of this chapter to establish a law enforcement telecommunications system for the State of California.

(Added by Stats. 1965, Ch. 1595.)

15152. The Department of Justice shall maintain a statewide telecommunications system of communication for the use of law enforcement agencies.

(Added by Stats. 1965, Ch. 1595.)

15153. The system shall be under the direction of the Attorney General, and shall be used exclusively for the official business of the state, and the official business of any city, county, city and county, or other public agency.

(Added by Stats. 1965, Ch. 1595.)

15154. The Attorney General shall appoint an advisory committee on the California Law Enforcement Telecommunications System, hereinafter referred to as the committee, to advise and assist him in the management of the system with respect to operating policies, service evaluation, and system discipline. The committee shall serve at the pleasure of the Attorney General without compensation except for reimbursement of necessary travel expenses.

Before requesting vendor proposals to implement the system, the committee shall prepare detailed technical system specifications defining all communications—handling parameters and making explicit in sufficient depth the goals of the system.

(Added by Stats. 1965, Ch. 1595.)

15155. The committee shall consist of representatives from the following organizations:

(a) Two representatives from the California Peace Officers' Association.

- (b) One representative from the California State Sheriffs' Association.
- (c) One representative from the League of California Cities.
- (d) One representative from the County Supervisors Association of California.
- (e) One representative from the Department of Justice.
- (f) One representative from the Department of Motor Vehicles.
- (g) One representative from the Office of Emergency Services.
- (h) One representative from the Department of the California Highway Patrol.
- (i) One representative from the California Police Chiefs Association.

(Amended by Stats. 2015, Ch. 303, Sec. 214. (AB 731) Effective January 1, 2016.)

15156. The Department of Justice shall provide an executive secretary to the committee.

(Added by Stats. 1965, Ch. 1595.)

15157. The committee shall elect a chairman for a term to be determined by the committee.

(Added by Stats. 1965, Ch. 1595.)

15158. The committee shall meet at least twice each year at a time and place to be determined by the Attorney General and the chairman. Special meetings may be called by the Attorney General or the chairman by giving at least 14 days' notice to the members.

(Added by Stats. 1965, Ch. 1595.)

15159. All meetings of the committee and all hearings held by the committee shall be open to the public.

(Added by Stats. 1965, Ch. 1595.)

15160. (a) The Attorney General shall, upon the advice of the committee, adopt and publish for distribution to the system subscribers and other interested parties the operating policies, practices and procedures, and conditions of qualification for membership.

(b) (1) Commencing on January 1, 2020, consistent with the California Values Act (Chapter 17.25 (commencing with Section 7284) of Division 7 of Title 1), no subscribers to the system shall use information other than criminal history information transmitted through the system for immigration enforcement purposes, as defined in subdivision (f) of Section 7284.4. In addition, no subscribers to the system shall use the system for purposes of investigating violations of Section 1325 of Title 8 of the United States Code, if a violation of that section is the only criminal history in an individual's record. This section does not prohibit or restrict any government entity or official 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 immigration status information, lawful or unlawful, of any individual, or maintaining or exchanging that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

(2) Commencing on July 1, 2021, any inquiry for information other than criminal history information submitted through the system shall include a reason for the initiation of the inquiry.

(3) Commencing on July 1, 2021, the Attorney General, and personnel they so authorize, may conduct investigations, including inspections and audits, as the Attorney General deems appropriate to monitor compliance with this subdivision. The Attorney General or authorized personnel who are conducting an investigation pursuant to this subdivision shall be authorized to review and inspect case files and any records identified in the investigation process to substantiate a reason given for accessing information other than criminal history information in the system.

(c) For the purposes of this section, "system" means the statewide telecommunications system of communication established pursuant to this chapter.

(Amended by Stats. 2019, Ch. 789, Sec. 1. (AB 1747) Effective January 1, 2020.)

15161. The Department of Justice shall provide a basic telecommunications communications network consisting of no more than two relay or switching centers in the state and circuitry and terminal equipment in one location only in each county in the state. The system shall be consistent with the functional specifications contained in pages 75 to 79 of the Report of the Assembly Interim Committee on Ways and Means, Volume 21, Number 9, 1963–1965.

These functional specifications summarize the needs of the peace officers for present purposes, but do not constitute technical specifications addressed to prospective suppliers of equipment and procedures.

(Added by Stats. 1965, Ch. 1595.)

15162. The system may connect and exchange traffic with compatible systems of adjacent states and otherwise participate in interstate operations.

(Added by Stats. 1965, Ch. 1595.)

15163. The system shall provide service to any law enforcement agency qualified by the committee which, at its own expense, desires connection through the county terminal.

(Added by Stats. 1965, Ch. 1595.)

15164. The system shall be maintained at all times with equipment and facilities adequate to the needs of law enforcement. The committee shall recommend to the Attorney General any improvements of the system to meet the future requirements of the subscribers and to take advantage of advancements made in the science of telecommunications communications. The system shall be designed to accommodate present and future data processing equipment.

(Added by Stats. 1965, Ch. 1595.)

15164.1. (a) The person designated as a county's "control agent" as defined by the policies, practices, and procedures adopted pursuant to Section 15160, or the chief officer of any other agency that has been granted direct access to the California Law Enforcement Telecommunications System under the provisions of this chapter, shall have sole and exclusive authority to ensure that the county's or other agency's equipment connecting to the California Law Enforcement Telecommunications System complies with all security requirements that are conditions of access to the California Law Enforcement Telecommunications System under the provisions of this chapter, or the policies, practices, and procedures adopted pursuant to Section 15160, and that the equipment complies with the county control agent's security policy. This authority shall include, but not be limited to, locating, managing, maintaining, and providing security for all of the county's or other agency's equipment that connects to, and exchanges data, video, or voice information with, the California Law Enforcement Telecommunications System under the provisions of this chapter, including, but not limited to, telecommunications transmission circuits, networking devices, computers, data bases, and servers.

(b) A control agent or chief officer may not exercise the authority granted in subdivision (a) in a manner that conflicts with any other provision of this chapter, or with the policies, practices, and procedures adopted pursuant to Section 15160.

(Added by Stats. 2001, Ch. 34, Sec. 1. Effective January 1, 2002.)

15165. Any subscriber to the system shall file with the Attorney General an agreement to conform to the operating policies, practices and procedures approved by the committee under penalty of suspension of service or other appropriate discipline by the committee.

(Added by Stats. 1965, Ch. 1595.)

15166. The Director of General Services shall fix the charge to be paid by any state department, officer, board or commission to the Department of Justice.

(Added by Stats. 1965, Ch. 1595.)

15167. In the case of a state agency, the charge shall be paid from the money available by law for the support of the state agency using the system.

(Added by Stats. 1965, Ch. 1595.)

15168. (a) Notwithstanding Section 15153, the system may connect and exchange traffic with the compatible systems of a tribal government, as provided in this section.

(b) A law enforcement agency or court of a tribe may apply to the Attorney General for access to the system. The Attorney General shall provide system access to any law enforcement agency or court of a tribe that has made application and that meets all of the qualifications prescribed in subdivision (c), as determined by the Attorney General. System access provided to a tribe shall be at the sole expense of that tribe.

(c) The Attorney General shall deem a tribe that has applied for system access pursuant to subdivision (b) to be qualified only if the governing body of that tribe has enacted or adopted a law, resolution, or ordinance, which shall be maintained in continuous force, that provides for all of the following:

(1) The tribe expressly waives its right to assert its sovereign immunity from suit, regulatory or administrative action, and enforcement of any ensuing judgment or arbitral award, for any and all claims arising from any actions or omissions of the tribe, including its officers, agents, and employees, when acting within the scope of their authority and duty, arising out of, connected with, or related to, the system.

(2) The tribe expressly agrees that the substantive and procedural laws of the State of California shall govern any claim, suit, or regulatory or administration action, that the obligations, rights, and remedies shall be determined in accordance with such laws, and that the courts of the State of California or of the federal government, as applicable, shall have exclusive jurisdiction.

(3) The tribe agrees to cooperate with any inspections, audits, and investigations by the Department of Justice for improper use or compliance with the operating policies, practices, and procedures, including any sanction or discipline imposed by the department, up to and including removal of system access.

(4) The tribe and its agencies, entities, or arms, including any officers, agents, and employees of the tribe when acting within the scope of their authority and duty, shall comply with the laws of the State of California relating to the use of records and information from the system, including, without limitation, Section 6200 and this chapter, Sections 502, 11105, 11141, 11142, 11143, and 13300 to 13304, inclusive, of the Penal Code, and Section 1808.45 of the Vehicle Code.

(5) The tribe and its agencies, entities, or arms, including any officers, agents, and employees of the tribe when acting within the scope of their authority and duty, shall comply with the Department of Justice's regulations, agreements, and operating policies, practices, and procedures, relating to the security requirements, access to the records and information from the system, and use of records and information from the system.

(d) The intent of the Legislature in enacting this section is to grant tribes access to, and use of, criminal justice databases, and the information in those databases, in a manner similar to the access granted under federal law codified in Section 534 of Title 28 of, and Section 41107 of Title 34 of, the United States Code.

(e) The Director of General Services shall determine the charges to be paid by a tribe to the department for system access, including any initial setup charges and any ongoing charges for access. These charges shall be reasonably similar to those imposed on other system subscribers.

(f) As used in this section, the following terms are defined as follows:

(1) "Tribe" means a federally recognized Indian Tribe whose territorial boundaries lie wholly or partially within the State of California, and any agencies, entities, or arms of the tribe, as applicable, either together or separately.

(2) "Sovereign immunity" means immunity from suit or action of the tribe and its agencies, entities, or arms, including the officers, agents, and employees of the tribe when acting within the scope of their authority and duty.

(Added by Stats. 2023, Ch. 638, Sec. 2. (AB 44) Effective January 1, 2024.)

15169. Notwithstanding any other law, the Commission on Peace Officer Standards and Training, or other persons identified in subdivision (a) of Section 13503.1 of the Penal Code for whom background checks have been completed pursuant to that section and whose duties require access, may inspect or duplicate any information derived from the California Law Enforcement Telecommunications System when the commission deems the information necessary to fulfill its duties.

(Added by Stats. 2025, Ch. 32, Sec. 1. (AB 354) Effective July 14, 2025.)