December 8, 2020

Unencrypted Radio Communications

Radio communications are governed by policies and procedures established by the Federal Bureau of Investigation and the California Department of Justice aimed to protect Criminal Justice Information (CJI) and Personally Identifying Information (PM). These policies limit the amounts and types of information that can be broadcast over unencrypted radio channels.

California statute defines PII as an individual’s first name, or first initial, and last name in combination with any one or more specific data elements. See table below for combinations which will result in the release of PII.

<table>
<thead>
<tr>
<th>Last name and first name or Last name and first initial</th>
<th>Data elements:</th>
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<tbody>
<tr>
<td></td>
<td>• Driver license (DL) number</td>
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<tr>
<td></td>
<td>• Identification (ID) card number</td>
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<tr>
<td></td>
<td>• Social Security Number</td>
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<td></td>
<td>• Passport number</td>
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<td></td>
<td>• Military ID number</td>
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<td></td>
<td>• Other government-issued documents</td>
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The most common data elements encountered during dispatch operations include a DL number and an ID number.

To ensure PII and CJI are not inadvertently broadcast over the radio, the following procedures are being updated and shall be adhered to when communicating on departmental radio frequencies:

• To ensure protection of PII, only enough information to complete the request should be provided over the radio in a single, continuous transmission. Any additional information should be relayed in a separate transmission or sent via the units’ mobile digital computer or tablet when possible.

• Address information should be limited to the city and first three characters of the street address in order to limit PII information over the radio, unless exigent circumstances exist.
• Additional information such as address, date of birth, and physical descriptors should only be provided when requested through a separate transmission.

Procedures for dispatchers and field units for registration and wants checks on vehicles, guns, or property typically are not affected. Information within these California Law Enforcement Telecommunications System returns do not contain PII and is not CJI, by definition, if PII is not included.

Procedures When Querying a Driver License/Identification by Number

On the first transmission, the dispatcher should repeat the information provided by the field unit to confirm accurate information was received. On the second transmission, the dispatcher shall provide either the last name and first name or last name and associated DL/ID number and status. Example:

• Unit: "2D2, vehicle stop."
• Public Safety Dispatcher: "2D2, go ahead."
• Unit: "2D2, Main and East, A0025507."
• Public Safety Dispatcher: "2D2 Copy."
• Public Safety Dispatcher: "2D2 returns to a last of Doe, first of John, on a class C, noncommercial, license status valid," or "2D2 on A0025507, last of Doe returns valid."

Procedures When Querying a Driver License/Identification by Name and Date-of-Birth

On the first transmission, the dispatcher should repeat the information provided by the field unit to confirm accurate information was received. On the second transmission, the dispatcher shall provide the associated DL/ID number, last name only, and status. Example:

• Unit: "2D2, vehicle stop."
• Public Safety Dispatcher: "2D2, go ahead."
• Unit: "2D2, East and Main, John Doe, date of birth 01-01-77."
• Public Safety Dispatcher: "Copy, John Doe, date of birth 01-01-77"
• Public Safety Dispatcher: "2D2, match on last name Doe and DOB to a number of A0025507, on a class C, noncommercial, license status valid."

If an officer or public safety is in jeopardy, only enough information should be broadcast to aid in identifying and/or locating a potential suspect. Once the suspect is apprehended, dispatchers and field units should be cognizant of CJI and PII broadcast limitations.