



# Surveillance Use Policy

CP Clear

San Diego Police Department

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## PURPOSE

CP Clear is an internet based, on-line service provided by Thomson Reuters. It offers real-time resources to locate information about individuals, utilities, and assets. It is a valuable tool for exigent circumstances such as homicides, sex crimes, fugitive apprehension, missing persons, and kidnap for ransom.

From CLEAR investigation software | Thomson Reuters, "Thomson Reuters® CLEAR is powered by billions of data points and leverages cutting-edge public records technology to bring all key content together in a customizable dashboard. Locate hard-to-find information and quickly identify potential concerns associated with people and businesses to determine if further analysis is needed. The user-friendly platform was designed with intuitive navigation and simple filtering parameters, so you can quickly search across thousands of data sets and get accurate results in less time."

## USE

CP Clear is utilized by Investigative units (Homicide, Sex Crimes, Missing Persons, Narcotics, Child Abuse, etc.) as well as the Crime Analysts that support these units for investigative purposes. Access is on a "need to know, right to know" basis, meaning there is an active crime case or law enforcement event that initiates the data inquiry. Utilizing this database enhances and advances the investigative process.

Department procedures associated with CP Clear are:

- 1.45 - Use of City / Department Computer Systems
- 4.13 – Non-Official or Personal Custody of Records/Files/Recordings Policy

Users can make inquiries on a variety of identifiers that include name, date of birth, Social Security Number, address, business, phone, land ownership, email addresses and social media usernames. A comprehensive report can be requested that puts this information in a report format, in logical groupings that make it easier to understand. The information is only a possible match and must be confirmed, that is, vetted for accuracy with the source agency / custodian of records before a law enforcement response can be initiated.

## DATA ACCESS

Only authorized law enforcement and criminal justice personnel may access CP Clear on a "need to know, right to know" basis. All transactions are for the furtherance of a law enforcement activity. The San Diego Police Department has 43 licenses for the entire department. It was purchased as sole source service, in that it provides a level of access in one place, in real time, unlike any other database currently available. The licenses are managed for usage and compliance. When a user logs in they must choose their "Permissible Purpose" for 3 categories:

1. To maintain compliance with the privacy provisions of the federal Gramm-Leach-Bliley Act, and the subsequent regulations adopted by the Federal Trade Commission ("GLB"), a user must select only a single purpose from the presented list. Misrepresenting your access purpose is a violation of our subscriber agreement and certain federal and state laws.



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Any use of information maintained by West, a Thomson Reuters business, other than for the selected permissible purpose is grounds for account termination and may be referred to the appropriate governmental agency. Our response is “For use by a Law Enforcement agency for an investigation or matter of public safety.”

2. Driver’s Privacy Protection Act of 1994 – Our response is for “Official use by a law enforcement agency.”
3. Voters Permissible Purpose – Our response is for “Use in connection with a non-commercial purpose.”

## DATA PROTECTION

Computers require user login multi-factor authentication and are situated in secure law enforcement facilities. Cellphone access at crime scenes and in the pursuit of a fugitive or kidnap victim, require multifactor authentication. Both levels of access capture the inquiry transactions. An audit can be performed by site administrators on an as needed basis.

## DATA RETENTION

When an agency determines that printed or electronic CP Clear information no longer has a legitimate law enforcement use, the information shall be destroyed in a manner so that the identity of the subject can no longer be reasonably ascertained, e.g., shredding printouts, deleting electronic records & clearing from “Trash” folders.

## PUBLIC ACCESS

The public has no access to the CP Clear system or information obtained from the database.

## THIRD PARTY DATA SHARING

There is no third-party data sharing.

## TRAINING

Training for CP CLEAR will be provided by SDPD staff for authorized users on usage of the system, to include all applicable Department policies regarding such use: DP 1.45 and DP 4.13.

## AUDITING AND OVERSIGHT

An audit can be performed by site administrators on an as-needed basis. Users who leave the department have their access removed. At the point of conducting an inquiry, a field titled “Reference” serves as a method to demonstrate the user’s “need to know, right to know” by providing case numbers, incident numbers or other unique identifiers.



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## MAINTENANCE

Thomson Reuters is responsible for uploading information into CP Clear. Information gathered is only a pointer system. The user validates the authenticity of the information through the appropriate custodian of records, typically a law enforcement agency, or if necessary, through another non-law enforcement service provider by means of a search warrant.