

# NGEN Operations Board

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## NGEN Operations Board Action Item 23-001

**Date:** November 16, 2023

**Presented by:** Alex Zheng      **On behalf of:** County of Monterey ITD

**Request:** Direct ITD staff regarding Dept. of Homeland Security Investigation Unit located in Monterey California (HSI Monterey) Access Request to NGEN System

### **Summary/Discussion:**

Department of Homeland Security Investigation Unit located in Monterey California (HSI Monterey), regularly works with local agencies in Monterey County on joint investigations and operations. During these investigations and operations, HSI Monterey needs to communicate with these agencies on their radio channels. HSI Monterey currently is getting loaner radios from the local agencies such as Salinas PD. Multiple local agencies (e.g., Salinas PD, Greenfield PD, and Soledad PD) have HSI-credentialed task force officers (TFOs) assigned to work with HSI Monterey. HSI Monterey is anticipating additional TFOs from other agencies (such as the Sheriff's Office) joining HSI Monterey soon.

HSI Monterey is requesting full NGEN talk-group access for 10 radios used by four agents and a supervisor. HSI works closely with many local agencies in the county, so having the ability to monitor and communicate with those agencies during operations, planned or otherwise, would be extremely useful to both HSI and the local agencies. HSI Monterey would not be using dispatch or using the system outside of the planned or emergency operations. In addition, with the increase in critical incidents, such as officer-involved shootings, school shootings, and mass-shootings, communication between responding agencies is essential for safe and successful deployment of personnel and resources.

HSI Monterey is also requesting the Board to waive the NGEN O&M and debt services fees. If not approved, they will request for access to the mutual-aid channel only which is free of charge.

This action item was discussed during the NGEN Operations Board meeting on Oct. 19, 2023. Board agreed to table this action item until the next meeting on November 16, 2013, when all board members including SPD are present. Board requested information regarding what kind of plan HSI Monterey has in place to "brick" their radios if they are lost. A sponsoring agency must be identified. The sponsoring agency will contact other radio authorities such as Silicon Valley Radio Interoperability Authority (SVRIA) to find out their arrangements with HSI, and research relevant State law regarding this. Alex Zheng will bring a mutual-aid radio policy for the board to discuss.

Subsequently, Salinas Police Department is willing to be the sponsoring agency. SVRIA was contacted and confirmed that HSI is not on their mutual-aid and interoperability partner list (see attachment 4). State law SB54 (see attachment 5), with relevant directions from California DOJ's information bulletin (see attachment 6) were identified by Chief Guillermo Mixer from Greenfield Police Department. A letter of assurance from HSI was received by Chief Mixer (see attachment 7). A response from HSI referencing the agency's "Reporting Requirements for Use of Force Incidents and Lost or Stolen Property" was included in Exhibit B. Chief Guillermo Mixer received approvals to HSI's access request

from Monterey County Sheriff's Office, Salinas, Seaside, Sand City, Del Rey Oaks, Marina, CSUMB and all South County cities (Greenfield, Gonzales, Soledad, and King City).

A draft version of Mutual-aid and Interoperability Radio Use Agreement is attached for Board to discuss and consider (see attachment 8). Once the agreement is approved and adopted, HSI and other mutual-aid partners are expected to sign this agreement.

NGEN Operations Board is being asked to consider three options listed below and provide directions:

Option 1. Grant HSI Monterey free access to mutual-aid channels only for 10 radios.

Option 2. Grant HSI Monterey free access to NGEN LAW talk-groups that have received user agency's approval, including Monterey County Sheriff's Office, Salinas, Seaside, Sand City, Del Rey Oaks, Marina, CSUMB and all South County cities (Greenfield, Gonzales, Soledad, and King City).

Option 3. Grant HSI Monterey access to NGEN talk-groups for 10 radios and charge them regular NGEN O&M fee. NGEN O&M fee for 10 radios is approx. \$3,686 per year for FY 23-24. HSI Monterey must sign the NGEN Services Agreement.

**Staff Recommendation:**

County staff recommends the NGEN Operations Board direct staff to proceed with Option 1 and Option 2. HSI must sign the Mutual-aid and Interoperability Radio Use Agreement once their access request is approved.

**Fiscal Impact:** Adding additional radios to the NGEN system consumes NGEN system resources and increase staff workload and is not fair to other participating NGEN agencies. Requesting agencies must be held fiscally accountable for their use of the NGEN system resources.

**Effect(s) of Failure to Approve Request and/or caveats:** HSI Monterey will continue using loaner radios from local agencies.

Operations Board Action

Modification to requested action: Yes  X  No

**Allow HSI access to talk groups 3 through 9, 11 through 16 and 20 through 35 as listed on NGEN Law-Fire-Cwide Fleetmap spreadsheet. This will be done free of charge, other than costs incurred due to radio programing. HSI will pay for that radio programming cost.**

**HSI issued a letter of intent and assurance to Greenfield Police Department. HSI is required to submit letters of intent and assurance to other County law chiefs. The letter should contain information on the purpose, requested access, and area of operations. HSI will also need to sign the NGEN Mutual-aid and Interoperability Agency Radio Use Agreement with updated termination clause, addressed in the Board Action Item 23-004.**

This action item was unanimously approved and supported by the board.

Vote Date 11/16/2023

Motion by Guillermo Mixer 2<sup>nd</sup> Chris Bourquin Approved: Yeas  X  Nays

DocuSigned by:  
  
/s/ Chair Dave Hober

Yeas: Unanimous

Nays:

## **Exhibit A HSI Monterey Request Form**

1. Name and Address of Agency: **Homeland Security Investigations**
2. Agency Point of Contact with Contact Information: **Davis Mendelsohn, 415-271-6242,**  
**davis.mendelsohn@hsi.dhs.gov**
3. Purpose for Requesting Access
  - a. Purpose for Access (Mutual Aid, Jurisdiction Assistance, etc.): **Regularly working joint operations and investigations with Salinas Police Department and other local agencies within Monterey County.**
  - b. Agency/ Jurisdiction to access: **Homeland Security Investigations, federal law enforcement agency working federal and state criminal investigations.**
4. Type of Access:
  - a. **Transmit, Receive, Encrypted (requires registration on the network)**
  - b. Transmit, Receive (requires registration on the network)
  - c. Monitor via Radio (requires registration on the network)
  - d. Monitor via Scanner
  - e. Be On
5. Number of Users
  - a. Command: **0**
  - b. Field: **5**
  - c. Administrative: **0**
6. Types of Radio equipment to be used (mobiles, portables, desktop)
  - a. Mobile – Number of mobile radios with makes, models, bands: **5 APX 8500s (one per user's vehicle)**
  - b. Portable – Number of portable radios with makes, models, bands: **5 APX 8000s (one per user)**

- c. Desktop – Number of positions: 0
- d. BeOn – Number of licenses: 0

**Exhibit B. HSI Memo related to Reporting Requirements for Use of Force Incidents and Lost or Stolen Property dated November 3, 2009**

**From:** Guillermo Mixer <gmixer@ci.greenfield.ca.us>  
**Sent:** Wednesday, November 1, 2023 9:56 AM  
**To:** Zheng, Alex <ZhengA@co.monterey.ca.us>  
**Cc:** Montoya, Thomas L. <MontoyaTL@co.monterey.ca.us>  
**Subject:** RE: Board Action Items from Thursday

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe. ]

I've copied the response from Dave Henderson below:

Bill,

I cannot find where it specifically mentions radios but the HSI policy states the following regarding loss of sensitive property which I would characterize radios to fall under:

***Upon discovery of the loss or theft of sensitive property, the officer should immediately report the incident to a supervisor. The supervisor is then responsible to report the lost or stolen item(s) to the Reporting Operations Center (IROC), as well as the Office of Professional Responsibility (OPR), Joint Intake Center (JIC) or local OPR office.***

***(from Memo related to Reporting Requirements for Use of Force Incidents and Lost or Stolen Property dated November 3, 2009)***

Additionally, I can tell you that HSI takes stolen or lost radios seriously. Since we have encrypted radios, we change our keys on a monthly basis and in the case of a lost or stolen radio, the agency would flag that specific radio to remove it from the network and rekey all agency radios to make the specific radio inoperable. Also, the radio would be inputted into NCIC as lost or stolen property. Sorry I cannot find the specific policy at the moment, but I am sure you can imagine how many policies we have.

Thanks,

Dave

**David E. Henderson, Supervisory Special Agent**

Homeland Security Investigations

Resident Agent in Charge

100 Lighthouse Avenue

Monterey, CA 93940

(334) 657-0701 (cell)

(831) 647-7318 (fax)

[david.e.henderson@hsi.dhs.gov](mailto:david.e.henderson@hsi.dhs.gov)

*By failing to prepare, you are preparing to fail – Benjamin Franklin*



[www.ci.greenfield.ca.us](http://www.ci.greenfield.ca.us)

**Guillermo Mixer**

Chief of Police

[gmixer@ci.greenfield.ca.us](mailto:gmixer@ci.greenfield.ca.us)

(831) 674-5111

Greenfield Police Department  
599 El Camino Real  
P.O. Box 306  
Greenfield, CA 93927



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Agency	Rec.	Disp.	TG ID	Group Name
X	X	002	MCSO_1	Monterey County Sheriff Office_1 (w/ Gateway Patch to County Law)
X	X	003	MCSO_2	Monterey County Sheriff Office_2 (w/ Gateway Patch to SO-2)
	X	004	MCSO_3	Monterey County Sheriff Office_3 w/ encryption
	X	005	MCSO_4	Monterey County Sheriff Office_4 w/encryption
X	X	053	SPD_1	Salinas Police Department_1 w/encryption
X	X	054	SPD_2	Salinas Police Department_2 w/encryption
X	X	055	SPD_3	Salinas Police Department_3 w/encryption
X		136	CRML_PD	Carmel Police Department w/encryption
X	X	636	SS_SC	Primary Seaside/Sand City/Del Rey Oaks Dispatch Group w/encryption
X	X	637	MAR_CSU	Primary Marina/CSUMB w/encryption
X	X	638	SOCT	Primary South Cities Dispatch Group w/encryption
X	X	640	SS_SC_2	Secondary Seaside/Sand City/Del Rey Oaks Dispatch Group w/encryption
X	X	641	MAR_CSU_2	Secondary Marina/CSUMB w/encryption
X	X	642	SOCT_2	Secondary South Cities Dispatch Group w/encryption
X	X	645	MPD_PGPD	Primary Monterey/Pacific Grove disaptch Group w/Encryption
X	X	646	MPD_PGPD2	Secondary Monterey/Pacific Grove disaptch Group w/Encryption

X	X	3001	CWIDE1	County Wide_1
X	X	3002	CW_ENC2	County Wide_2 w/encryption
X	X	3003	CW_ENC3	County Wide_3 w/encryption
X	X	3004	CWIDE4	County Wide_4
X	X	3005	CWIDE5	County Wide_5
X	X	3006	CWIDE6	County Wide_6
X	X	3007	CWIDE7	County Wide_7
X	X	3008	CWIDE8	County Wide_8
X	X	3009	CWIDE9	County Wide_9
X	X	3010	CWIDE10	County Wide_10
X	X	3011	CWIDE11	County Wide_11



<b>X</b>	<b>X</b>	3012	CWIDE12	County Wide _12
<b>X</b>	<b>X</b>	3013	CWIDE13	County Wide _13
<b>X</b>	<b>X</b>	3014	CWIDE14	County Wide _14
<b>X</b>	<b>X</b>	3015	CWIDE15	County Wide _15
<b>X</b>	<b>X</b>	3016	CWIDE16	County Wide _16

<b>X</b>	<b>X</b>	258	CMD_31	Monterey County Fire Command_31
<b>X</b>	<b>X</b>	260	CMD_33	Monterey County Fire Command_33
<b>X</b>	<b>X</b>	262	CMD_35	Monterey County Fire Command_35