

NCJIS ADVISORY COMMITTEE MEETING MINUTES

Nevada Department of Public Safety
Records and Technology Division
333 West Nye Lane, Suite 100
Training Room
Carson City, Nevada 89706
January 8, 2009
1:00 p.m.

MEMBERS PRESENT

Captain P.K. O'Neill, Nevada Department of Public Safety, Chief Records and Technology Division
Assemblyman Bernie Anderson
Todd Westergard, Administration Chief, Gaming Control Board
Ron Titus, State Court Administrator, Supreme Court
John Helzer, Deputy District Attorney, District Attorney's Association
Howard Skolnik, Director, Nevada Department of Corrections

MEMBERS WITH PROXY

Chief Mike Mancebo, Lovelock Police Department, Proxy for Sheriff's and Chief's Association
Jill Mitchell, Program Specialist, Proxy for James Earl, Office of the Attorney General

MEMBERS EXCUSED

Senator Maurice Washington

A. Call open meeting to order and roll call (action)

Captain P.K. O'Neill called the meeting to order at 1:15pm. Roll call was taken by Captain P.K. O'Neill. All attendees were asked to sign in if they had not already done so.

B. August 7, 2008 meeting minutes comment, revision and acceptance (action)

Ron Titus requested a correction be made on page three. The minutes should read "*MCIJIS does not own their information*". Assemblyman Anderson moved to accept the minutes with the correction on page three adjusted. All in favor, motion carries and minutes are accepted.

C. Approval of Revised NCJIS Advisory Committee By-Laws (action)

Captain O'Neill explained the words or phrases in brackets would be deleted and the words or phrases in blue italics would be inserted into the body of the By-Laws. Assemblyman Anderson stated many members serve from State agencies and asked how this would effect elections if they left before their term was completed. Captain O'Neill explained if the Chair or Vice Chair left prior to the end of their term the Advisory Committee would hold an election for a replacement until the next scheduled election to fill the position. Patti Peters with the Las Vegas Metro Police Department stated she had some confusion with page one, last bullet, re: NCJIS Advisory Committee will receive business reports and minutes from the NCJIS Steering Committee. Patti Peters wanted to know if this included the Subcommittees. Captain O'Neill explained to the members and meeting attendees that the NCJIS Steering Committee is made up of the representatives from the subcommittees which allows for the NCJIS Steering Committee to come forward with reports to the NCJIS Advisory Committee. It was mentioned that the subcommittees are open to everyone but the NCJIS Steering Committee is a closed working group. Patti Peters asked the Advisory Members if the minutes from the Northern and Southern Technical Subcommittees would be appropriate as they are public meetings. Ron Titus motioned to make the correction to read "*The NCJIS Advisory Committee will receive business reports and minutes from the NCJIS Northern and Southern Nevada Subcommittees*". The motion was seconded by Assemblyman Anderson. All in favor, motion carries. John Helzer asked if number five on page

C. Approval of Revised NCJIS Advisory Committee By-Laws (action) (cont.)

three of the By- Laws included budget information on the Criminal History Repository. Captain O'Neill stated the members would hear a report today on the budget, he further stated we could delineate for audits to be included in the future. Assemblyman Anderson asks that the audit be one of the documents we could share since it is public information and allows the NCJIS Advisory Committee to be informed. Captain O'Neill asked Assemblyman Anderson if it would be appropriate for number five on page three to read "*included by not limited to; any audit reports of NCJIS from the Federal Bureau of Investigations, Legislative Counsel Bureau etc.*"? Todd Westergard motioned to make this correction to the By-Laws. Motion seconded by Assemblyman Anderson. All in favor, motion carries. Ron Titus questioned the intention of number seven on page three. Ron Titus suggested changing "*or the*" to "*including*", he also questioned the juvenile portion of this objective. Captain O'Neill asked the Secretary to research who had suggested this section. The Secretary advised the numbers five, six and seven had be added by Captain O'Neill, Ms. McKay and Ms. Kerr. Captain O'Neill explained the only information the Criminal History Repository receives is juvenile fingerprints. Ron Titus motioned to remove "*statistical data relating to crime or the delinquency of children*" and add "*Criminal Justice Information*" in its stead. Howard Skolnik seconded the motion. All in favor, motion carries. Todd Westergard motioned to accept the revised By-Laws with noted modifications. Ron Titus seconded the motion. All in favor, motion carries. **Exhibit A**

D. EDispos – Ron Titus, Supreme Court (discussion)

Ron Titus indicated Steve Tuttle would speak on this issue. Steve Tuttle discussed the history of the EDispo. Steve Tuttle pointed out what has worked and what is delaying the progress up to this point. Steve Tuttle explained the Technical Committee is working on how to discern if a disposition is a final disposition or a change from the original charge. It was explained the need to insure the report to the Criminal History Repository is the final disposition on a charge. Steve Tuttle stated one problem discovered involved local jurisdictions sending in charge sequences that are different than what the court sends in. The court can see what the Criminal History Repository has and what is adjudicated and match it. Steve Tuttle stated this is a criminal justice system problem and stressed the importance of the need to work together to solve it. He further explained he was on another committee that looks at criminal justice system standards and how these problems with dispositions will be solved they need to identify what the projects are and resources available to put on the project. We need to understand that the people working on these issues have other responsibilities. Steve Tuttle stated the Technical Committee consists of personnel from the Administrative Office of the Courts, the Department of Public Safety, and the District Attorney's Office. The Policy Committee consists of the same membership. Captain O'Neill wants everyone to realize we are trying to work on the dispositions and identify what the business needs are. He further explained there has been a huge backlog of dispositions but we have put a concerted effort into reducing this backlog. He stated it was important to keep the EDispo project in front of the NCJIS Advisory Committee so it can move forward. Assemblyman Anderson stated this is the most crucial point for him as an Assemblyman and we have to remember that we are in a technological world forcing all of us to get into the technology mind set. John Helzer stated he was not at the last meeting but at the meeting prior to that he thought there was a valid request which would move quicker but that looks as if it has been make more cumbersome due to phases being implemented according to the last meetings minutes. He thought we had all agreed to focus on the booking charge first. John Helzer suggests we get back to the beginning and the basics so we have something completed. He also suggested we use an electronic court form now. Steve Tuttle stated we are moving information electronically but the agencies can not see all levels of information being shared from Law Enforcement to the District Attorney then from the District Attorney to the Court. John Helzer asks why we need all of the information when we can live with the beginning and the end with nothing in between. Steve Tuttle explained we can not do that because of the way

D. EDispos – Ron Titus, Supreme Court (discussion) (cont.)

the system was designed, we have to try and match the information. Julie Butler explained because of our system being antiquated it would cause Mr. Titus a major rewrite of our system. The Federal Bureau of Investigations is looking for the original charge and the disposition for each charge. Steve Tuttle is working diligently on getting all of the courts into the technological age to support this project. Captain O’Neill asked Ron Titus if we could discuss this issue at the next meeting. No action taken.

E. Nevada Offense Code Revisions (NOC) – Ron Titus, Supreme Court (action)

Ron Titus indicated Steve Tuttle and Julie Butler would present. Steve Tuttle stated he believes a step backwards should be taken with this redevelopment project. Steve Tuttle presented a power point presentation. The high points of the presentation were: what the Nevada Offense Codes are; the structure of the old Nevada Offense Code Table; objectives of the Nevada Offense Code Redevelopment Project and their goals; who comprises the Nevada Offense Code Workgroup; Outstanding Issues being addressed; recommendations; and the Governance Body Responsibilities. Steve Tuttle gave a brief history of how the Nevada Offense Code Redevelopment Project came about and what has occurred throughout the process. He stated there were a few outstanding issues, such as, the need to keep this working group intact and under control; the need for an appeal process; and the need to have a way to resolve issues and identify ingoing funding. Steve Tuttle’s recommendation is for the NCJIS Advisory Committee to take governance of this project. Julie Butler explained the role the Criminal History Repository has in the Nevada Offense Codes. John Helzer is concerned with what this will mean to the Advisory Committee as this is a busy Committee. Captain O’Neill will need to get clarification from our Attorney General to ensure this Committee can accept this additional responsibility. Captain O’Neill asked Steve Tuttle for a formal request outlining the Redevelopment Projects proposal. Captain O’Neill requests this issue be tabled and the Administrator of the Court present policies and procedures at the next meeting. Captain O’Neill requested that Steve Tuttle please forward an electronic copy of his Nevada Offense Code power point presentation to the Committee Secretary. No action taken. **Exhibit B**

F. Proposal to Establish a NCJIS Central Technical Subcommittee - Georgene Proutsos-Turner, Highway Patrol Division TAC (action)

Georgene Proutsos-Turner was not present; therefore Teresa Wiley as the Northern Technical Subcommittee Chair will make a comment to the Committee Members on this item. Teresa Wiley stated Georgene Proutsos-Turner is located in a rural area and wants to create a rural Subcommittee. The Northern and Southern Subcommittees are not in support of this request due to the constraints it would place on the needs and responsibilities of these Committees. Teresa Wiley asks for the Administrators of agencies to support the Terminal Agency Coordinator’s (TAC’s) and allow attendance of the meetings. The meetings affect changes at the Criminal History Repository which in turn affect the entire state. Captain O’Neill stated he sees no need for a Central Subcommittee and reiterated that Proutsos-Turner was not in attendance to support her request. Additionally, both the Northern and Southern Subcommittees have reassured their communications will improve to resolve this issue. No action taken.

G. Proposal to Add a Member of the Administrative Office of the Court to all NCJIS Committees (NCJIS Steering, Northern and southern Technical Subcommittees – Captain P.K. O’Neill (action))

Captain O’Neill stated the Administrative Office of the Courts does not have a TAC and need to find a better way to communicate with the courts. Captain O’Neill asked Ron Titus where the most beneficial location would be for an Administrative Office of the Courts member. Ron Titus believes a member on both the Northern and Southern Subcommittees would be the best solution. Ron Titus informed the Committee he would have Robert Kastelitz supply names of possible TAC’s to the Northern and Southern Subcommittee Chairs. Assemblyman Anderson recommends this be revisited in a year for an up-date on it’s success. No action taken.

H. Fiscal Year 2009 Statistical Accomplishments for the Records Bureau – Julie Butler, Records and Technology (discussion)

Julie Butler presented a power point presentation on this subject matter. The main points of the presentation were: an overview of the workload statistics; the Legislative Counsel Bureau Audit; disposition backlog; civil electronic fingerprint submissions status; 2009 Legislative Session; and the 2010-2011 budget and revenue projections. Julie Butler asked to move to Agenda Item K, Legislative Bill Draft Requests, at this time. Julie Butler stated currently there are three bills in draft which are Assembly Bill 81, Assembly Bill 93 and Senate Bill 28. A summary of each of these bills is available on page ten of Exhibit C. Lisa Young presented her power point presentation on the 2010-2011 Budget Request and Revenue Projections. Lisa Young explained where the Criminal History Repository receives its revenue and where the revenue is spent. She stated the goal of the Records and Technology Bureau at the Criminal History Repository was to rebuild the four million dollar reserve that they gave to the State to help off set the budget. **Exhibit C**

I. Steering Committee Briefing – Patti Peters, Southern Steering Committee Chair and Teresa Wiley, Northern Steering Committee Chair (discussion)

Patty Peters stated that the Subcommittees will meet on January 15, 2009 and will focus on three issues. The first issue concerns routing groups and how to communicate with all agencies on line. The second issue concerns files in JLink and problems with JLink itself. The last issue is Protection Order files and the problems entering them into the National Crime Information Center in a timely manner.

J. Adam Walsh Act Up-Date – Diane McCord, Records and Technology (discussion)

Diane McCord gave a brief history on the Sex Offender Registry’s tiering of offenders and explained the ramifications of the court injunction on tiering. She stated the Sex Offender Registry is using the previous law, Nevada Revised Statute 179D for tiering but is simultaneously tiering using Assembly Bill 579 (Adam Walsh Act) so if the injunction is overturned the Registry is ready to move forward rapidly.

K. Legislative Bill Draft Requests – Captain P.K. O’Neill, Chief, Department of Public Safety, Records and Technology and Julie Butler, Records and Technology (discussion)

This Agenda Item was included in Agenda Item H.

L. SEARCH Up-Date – Captain O’Neill (discussion)

Captain O’Neill informed the members the SEARCH meeting for January has been postponed to sometime in the spring. He stated one-third of states Criminal Repositories are suffering from financial shortfalls. He stated Florida will cut their Sex Offender Registry if necessary as it is not mandated by State Statute. Assemblyman Anderson noted the Sex Offender Registry is probably the only part of the system the public has access to compared to the other systems that only law enforcement has access to. Julie Butler clarified that the only information the public has access to is the community notification web based site and not the actual registry system.

M. The National Data Exchange Program (NDEx) Up-Date - Captain P.K. O’Neill, Chief, Department of Public Safety (discussion)

Captain O’Neill met with Senator Reid’s office in Las Vegas to schedule an in depth discussion for the end of January 2009. Captain O’Neill and Senator Reid will discuss the funding of twelve million dollars to institute an all encompassing statewide NDEx System for Law Enforcement Agencies.

N. Public Comment (discussion)

No public comment.

O. Comments from Committee Members (discussion)

John Helzer questioned if the Nevada Offense Code model could be sold to other states once it is completed. Ron Titus responded he would research that possibility. Assemblyman Anderson felt Nevada is the perfect state to be the first to offer this system due to the wonderful diversity of our state.

P. Schedule next NCJIS Advisory Committee meeting (action)

Captain O’Neill proposed Thursday, July 23, 2009 at 1:00 PM for the next meeting of the NCJIS Advisory Committee. All Members agreed.

Q. Adjournment

Adjourned at 4:47 PM