

**Minutes of the ADVISORY COMMITTEE on NEVADA CRIMINAL JUSTICE
INFORMATION SYSTEM (NCJIS) MEETING**

Tuesday September 29th 2015

The NCJIS Advisory Committee was called to order at 12:29 pm on Tuesday September 29th 2015. The Advisory Board was present at the Legislative Counsel Bureau located at 401 South Carson Street Room 2135 Carson City, NV. Thomas Carroll, Jarred Frost, Patti Peters and Carmen Tarrats joined via videoconference in the Grant Sawyer Building at 555 East Washington Avenue Room 4412E, Las Vegas, Nevada.

ADVISORY BOARD MEMBERS PRESENT:

Julie Butler – Department of Public Safety General Services Division Administrator
Jarred Frost - Deputy Attorney General
Pam Del Porto – Department of Corrections
John McCormick – Assistant Court Administrator
Thomas Carroll - Chief Deputy District Attorney of Clark County
Undersheriff Robert Quick - Lander County Sheriff's Office
PK O'Neill - Nevada State Assemblyman

ADVISORY BOARD MEMBERS NOT PRESENT:

Senator Mark Lipparelli – Nevada State Senator
Deputy Chief James Taylor – Gaming Control Board

STAFF MEMBERS PRESENT:

Mindy McKay – Department of Public Safety General Services Division
Jacqueline Weaver - Department of Public Safety General Services Division
Erica Hall - Department of Public Safety General Services Division

OTHERS PRESENT:

Linda Kennedy – Department of Public Safety General Services Division
Alan Rogers – State Enterprise IT Services
Tammy Trio - CFO, Department of Public Service General Services Division
Teresa Wiley – City of Sparks Police Department
Patty Peters – Las Vegas Metropolitan Police Department
Carmen Tarrats – Las Vegas Metropolitan Police Department

Agenda Item 1 – Call to Order-Verification of the Quorum (for possible action)

Julie Butler called the meeting to order. Jacqueline Weaver took roll call. Senator Mark Lipperelli and James Taylor were not present. All of the other members present. A quorum was established.

Agenda Item 2 – Public Comment

Julie Butler:

At this time I would like to open up the meeting for public comment. Do we have any down south or here in Carson City?.

Thomas Carroll:
None down south.

Julie Butler:
Thank you very much seeing none in Carson City. We will move on to agenda item 3.

Agenda item 3 - For discussion and possible action: Review, amend and approve minutes from January 13, 2015 NCJIS Advisory Committee Meeting

Julie Butler:
Do I have any corrections or discussion on the meeting minutes from the January meeting? Ok, hearing none, then I would entertain a motion.

Robert Quick:
Madam Chair I'll make a motion.

Julie Butler:
Ok, do I have a second?

John McCormick:
Second.

Julie Butler:
Ok any discussion before the motion? Ok, all those in favor?

Majority:
I

Julie Butler:
Any opposed? Motion carries.

I am going to go a little bit out of order here to accommodate schedules. I would like to take agenda item 6, which is the budget update for 16-17. Tammy Trio is our chief fiscal officer and welcome Tammy.

Agenda Item 6 – For discussion: Budget Update Fiscal Year 2016-2017 – Tammy Trio.

Tammy Trio:
Good Moring, for the record, Tammy Trio, with General Services Division, I am the Chief Fiscal Officer. I am the person responsible for the preparing the budget and in front of you, can you see this down in Vegas? Can you see it?

Thomas Carroll:

Yes, and we have a hard copy.

Tammy Trio:

Ok great thank you. So I wanted to present the budget for you for the NCJIS modernization project for fiscal year 2016 and 2017. It might look a little slim as far as line items go, but we do have some money in there, that we were awarded. First MSA contracts, we have for both years \$280,000. I will accept questions at the end if anyone has any.

EITS DBA services, as you see the lines item are \$30,269, and \$30,662. EITS Program Services \$400, 416, \$400,358 and software AG Maintenance, this is for the web methods. I just want to point out EITS programmer Services, we originally requested within our budget for EITS, actual programmers, this is going to cover the MSA contractors that we have for this project. So we will forward this funding through to EITS via invoicing or billing claims based upon the MSA contractors that were secured. So that transaction will happen straight through to EITS, through the state process. Do I have any questions?

Julie Butler:

Tammy can you just elaborate for those who may not be familiar with the state acronyms, MSA contracts, and what those are and the Software AG Maintenance what that's for?

Tammy Trio:

Most certainly. MSA stands Master Service Agreement; the state purchasing office has a master service agreement contract where they contract with several consulting firms. To secure various levels of programmers, project managers, database. Those high level technical positions that we as state agency can go through state purchasing and do a requisition through them to secure consultants. It saves us from having to go out directly to the consulting firms or to secure contracts directly with us. It kind of eliminates the need to go through that contract process, which can take a long time. This MSA contract that we have for this line item is specific to our NCJIS modernization Project Manager Linda Kennedy, who you will see a presentation from in just a moment. But that is what that line item is from. What we have also done, just so you know, through the EITS programming service line item that I have identified here, with assistance of EITS, because it is actually the funding, we had to do it a special way in the budget, both budgets have this line item, so EITS because they did not get positions in their budget, we got the funding so EITS got out to state purchasing for MSA contractors and then they are going to monitor those contractors they are going to bill General Services and then we are going to pay them back. It is the same process when we secure these EITS programming services, so it's true MSA master service process. It just saves a whole time. We go through an interview process, so all the candidates are interviewed also through that process.

Software AG Maintenance, this is the web methods, Linda will talk more about that, Linda and Alan. This is the maintenance for the entire software AG web methods that we are using. We have put that through our budget, through state funds, State general funds. So we have secured the maintenance process since we are the largest user of that service. Any other questions?

Julie Butler:

Any Questions from Las Vegas? Ok, thank you very much. I would like to invite Linda Kennedy and Alan Rogers to the table for agenda item 4; an update on our NCJIS modernization project.

Agenda Item 4 – For discussion: NCJIS Modernization Update – Linda Kennedy and Alan Rogers

Linda Kennedy:

Good Afternoon, my name is Linda Kennedy. I am the NCJIS modernization Program Manager.

This slide shows the entire program that is planned or was planned to take a total 8 years. The first two years took place during the last biennium I am going to talk quite a bit about what we've accomplished in the last biennium. The second two years is the current biennium that we are currently working in and then there will be 4 more years planned in this program. In this diagram the completed items are the ones in orange and the ones in blue are the ones we are working on at the moment.

We have completed a lot of work in the last 2 years. We were able to establish an architecture and platform and this is the web methods that Tammy was talking about. The enterprise IT services organization did a lot of excellent work and went out to find the best tool set to help them develop the applications that we needed. They selected software AG's web methods. They brought the product in and with the help of SAG it was implemented, the staff was trained and then a pilot took place using one of our applications of doc and images and that was a successful pilot where we took an existing USoft application and moved into the web methods arena. That has been very helpful, this is an application that is used extensively especially by parole and probation. We were also able to do a project that was not originally scheduled in the last biennium where we were able to get rid of Mapper, which was an old application and it is no longer in use anywhere now, where we moved an application that was being used by parole and probation and moved it to a dot net application that was named dot net restitution. That was done ahead of schedule and as planned.

We also migrated another application that was on a platform called AIM to Spillman, so we moved the data from one application to another. Unfortunately the only way we could move this data for investigating was to reenter the data from one application to another. Staff was hired and this was successfully completed.

Julie Butler:

Can I interrupt you for just a second, Jackie would you please note that Assemblyman O'Neill has just joined us. Thank you.

Linda Kennedy:

Another project that was completed was the first of what we have broken the JLink project into 3 projects. Instead of trying to do it in one huge one that was hard to manage, we took the upgrade law enforcement message switch Jlink project and broke it into three. The first component was the back end architecture upgrade. This was a technical upgrade which was required to bring the operating systems to a newer level. It didn't bring any new functionality to the user but was required as a first step to support the later projects. This was done on time as scheduled with minimal down time to the users. It was one the smoothes upgrades that we have ever had done for us by EITS so it went very well.

We now have, still in progress, from the last biennium, the next step for the JLink project and this is the actual improvement to JLink. The first piece of this was done for us by a vendor, NorSoft, the component that NorSoft needed to do for us, has been completed, and that was done on schedule by end of the last biennium. However we would like Enterprise IT to do excessive testing and additional work, to make sure it is ready for us before we put in into production. They are working on it at this point in time and doing additional detail configuration of this project. That is slated to be finished by the end of this year and then we move into the third project which will be the extensive user acceptance testing which will start early next year. When we will put this into production will depend on how the use acceptance testing goes. This is too critical of a system for us to put into production until we are very comfortable with how the testing goes and our users, especially the agencies will be big participants in this testing process. Now this biennium we had two big projects that were approved by the legislature. One is the replacement of the computerized criminal history upgrade update or CCH. The other is the reengineer and replacement of the parole and probation offender tracking information system or OTIS. We are on track what we are expected to be at this point. The requirements were completed on schedule by the business process analyst from GSD. We will then spent a month working with Enterprise IT to refine and clarify those requirements and build excellent synergy between the two departments to come up with a great set of requirements that both groups feel are the best we've ever done. We also simultaneously worked together to go out and find a great development team. The development team consists of six master service agreement developments that Tammy referred to plus EITS have assigned 6 of their developers to the team because they bring an understanding of our business that we just don't have bringing people in from the outside. So they are working together to build this product. Right now we are in the process of holding joint application design sessions they are being lead by ETIS and they are involving people from General Services Division and EITS to design two great systems.

We have put together a program organization to support these projects. It's lead by a Steering committee that's headed by our Director, Director Wright, and then we have

two sponsors one for each project. Julie Butler is the sponsor for CCH and Natalie Wood the Chief of Parole and Probation is the sponsor for OTIS. I am coordinating and overseeing to make sure everything stays on schedule and stays to scope and then we have various participants in this project working together.

So far we are on schedule we have been able to have our developers start coding even though we are still in design because there are components of both these systems that are standard. That because we are replacing existing applications we know they will be the same. For example we know that we are going to have to track the date of birth of an offender so the code to track the date of birth can be written now, even though they haven't done complete design. So there are pieces like that that have to be done no matter how the design the system. So work has begun beginning this week to do that kind of coding, so even though it will be a few more months as we do the more detailed design. We are not waiting to design everything before we start coding so we are underway with the coding and we are very aggressively underway with the design.

The next piece that isn't on this slide is to let you know that starting in January we will be planning the next phase of this program. What we are going to do in the next biennium we are not going to wait until the last minute we are going to start looking at the requirements and completing the correct documentation so that we have a very good story and a good benefit analyst for what we want to do for phase three of this program. So that's already scheduled to start in just a few months. Any questions? And any comments or additions that I missed?

Robert Quick:

Madam Chair, Robert Quick for the record, I have a couple questions relating to the JKlink architecture portion that you have discussed on page 4 on the handout that we have. Can you discuss if there is any, changes that the users that going to see and if there are functionality changes and so forth are you planning for training prior to switching over to extensive testing things like that.

Linda Kennedy:

There will be some training; there will not be major changes to what the user is going to see. But what they are going to see they are going to see is like moving from Windows XP to Windows 7. It's the kind of changes because we are mainly updating it from an old operating system to a new operating system. The kinds of things are going see is they are going to be able to resize the screen finally, they can't do that today. It's those kinds of changes that are going to be in this upgrade. So the screens will look a little different because it is in a new operating system but everything is going to be in a similar place but it's not going to be moved around drastically so there will be some minor changes like that but it is not a major rewrite where they are going to have to learn everything from scratch.

Robert Quick:

Thank you and regarding a foreign host connect and RMS systems, will there be changes that need to be done from the RMS standpoint for connectivity of the system and or mapping fields to the system?

Linda Kennedy:
No, not to my knowledge.

Robert Quick:
Thank you.

Julie Butler:
Alan, do you have anything to add to that from a technical perspective?

Alan Rogers:
Well just a little clarification the upgrade is a lot of structural upgrade things that will make JLink viable into the future it will improve some of the maintenance issues we have had in the past, and things like that, so the architecture is going to be improved but there will be minimal changes for the users as Linda has stated. We had initially talked about doing a facelift and decided and whole self face lift wasn't necessarily a good idea for the users, so I think we scaled back on facelift idea and looked more to some minor utility enhancement and mostly just architectural types of changes that needed to made, to make maintenance easier and stuff. One thing that is not mentioned is that we added a third team member to our JLink internal support team and the idea that were going to move forward with is teaching our internal people some of the core source code. In the past we have relied pretty much 100% on the vendor for source code delivery we're going to start working with Norsoft to train our people and start taking over some of the source code maintenance and hopefully in the future that will give us a little bit more stability with support. I think it is a good move to take on more of that responsibility internally.

Julie Butler:
Absolutely

PK O'Neill:
I apologize madam chair for being late; unfortunately I went to the old building. I got a question and this is a little déjà vu from several years ago. We are still using Norsoft, the work that we are doing to upgrade we're going to own all the codes? We won't be dependent on Norsoft if they decide to... they're still a one man shop I assume or have they expanded?

Alan Rogers:
Norsoft, like many of our vendors, is a smaller vendor. The concern of Norsoft's business size really doesn't concern me as much as the ability to make sure we have support going into the future. And that is one of the reason we want to train some internal people so that we can take on more of the internal maintenance that Norsoft has done in the past. Norsoft, has a partnership with Microsoft, at any time they could sell that product to Microsoft which would give JLink an unending amount of resources the problem with Norsoft selling to any other vendor is that we would anticipate maintenance costs would go up dramatically. So in preparation for the idea, number one

will either have to accept maintenance from a vendor or number two we would have to take that on as our own product. We kind of have to be prepared for what could happen in the next 10 years. So we need to learn that internal so that we can make a better decision when that comes, where we are going to go. This is pretty common throughout IT projects. Throughout the state we have a lot of products that were developed by vendors and then the state took over maintenance. We have other products where the vendor continued to maintenance the products. Some of them are small vendors some of them are large vendors. With the small vendors your maintenance costs seem to be a little bit less, with large vendors it seems to be a little bit more. It's kind of just a business that has to be made when you are faced with those requirements of where you are going to go for the maintenance unfortunately some application across the state have no maintenance then they grow old and stale and need to be replaced. We are trying to put JLink into a situation where it won't have to be replaced where it can be viable for the 20 years and I think we are on a good track to do that.

PK O'Neill:

So the question is we're doing work on the coding correct, are we going to own that or is Norsoft going to have it to be able to sell on our work.

Alan Rogers:

We own the source code, now Norsoft can market a product, if we did any customization we would own that customization this product that we are upgrading to is solely a Norsoft product and it's a off-the-shelf we bought it as an off-the-shelf package so there is no customization that we have done, so until we do some customization to that package it would still be supported by Norsoft. But we own the code base so we have the code available to us if we were to take it over some day.

Julie Butler:

Any Questions? Go Ahead.

Pam Del Porto:

Thank you. A general comment and question, when the upgrade recently occurred, my TAC for Nevada Department of corrections was off so our IT didn't get notification of the upgrade so we were down for a little bit. And I am just wondering, and my ATAC had a family emergency and had to leave. So I am just wondering if there is a way we can add somebody to the notification process for the upgrade of the software so that we can make sure that we are covered as an agency. And I appreciate your help thank you.

Julie Butler:

Sure we can work with staff to make sure, if you want to let me know offline who that person should be, thank you.

Any Questions from Las Vegas? Okay, Alan did you have anything in addition to what Linda stated just generally that you wanted to advise the committee of?

Alan Rogers:

No I think she did a good overview of the project, as she said we have all of the listed programmers on site, we started the JADs last week they went very well I got some really positive comments back so I think that is going to go well. I am actually slip out and go to the OTIS opening JAD right after this, so when that is finished I will try to get back in case there are any other questions, but I don't think I am on the agenda for the rest of the day. So if you have any questions for enterprise IT now is a good time to ask them.

Julie Butler:

Ok well seeing none, appreciate your time this afternoon, Alan and Linda. Thank you very much for an informative update. Okay, moving on to agenda item 5 Mindy McKay with an update on the 2015 legislative session.

Agenda Item 5 – For discussion: Update on the 2015 Legislative Session – Mindy McKay

Mindy McKay:

Good afternoon madam chair and members of the committee. My name is Mindy McKay, Records Bureau Chief with the Dept. of Public Safety General Services Division. I am here today to provide you an update on the impact to our division from 2015 legislative session.

First and foremost thank you to Assemblyman PK O'Neill for sponsoring Assembly Bill 224. Which authorizes the submission of one or more biometric identifiers defined as fingerprint, palm print, scar, bodily mark, tattoo, voiceprint, facial image, retina image or iris image of a person, which was Effective 5/25/2015

Julie Butler requested that Assemblyman O'Neill bring forth this bill on behalf of the Criminal History Repository and law enforcement as a housekeeping measure to allow Nevada to keep up with evolving technology for the accurate identification of people. AB 224 amended NRS 179A.075 to authorize the division to submit to the FBI one or more of a person's fingerprints for the purposes of mobile identification, a complete set of fingerprints for criminal arrest booking purposes, or other biometric identifiers of a person. AB 224 simply establishes the authority needed by the Criminal History Repository and statewide law enforcement to take advantage of these new identification technologies at such time as our systems are modernized and capable. It does not create a mandate to participate in these identification technologies; merely the authorization. Furthermore, not all of these technologies are operational yet, even at the FBI, particularly scars, marks, tattoos, and iris recognition. However, it is a capability the FBI is working toward. AB 224 aligns Nevada's statutes with these FBI initiatives such that when these capabilities are operational and our State systems are capable, that we can take advantage of these new identification modalities. AB 224 also requires the Central Repository to adopt certain regulations governing biometric

identifiers and the information and data derived there from. My staff and I are currently conducting research and getting answers to some of our own questions prior to scheduling the workshop. As soon as that is complete, we will be sending out notice of the workshop to a list of interested entities. If any of you would like to be added to that list, please let me or our Secretary know as soon as possible.

Are there any questions or discussion on AB224?

AB47 On behalf of the Governor's Office of Economic Development, providing for the establishment within the Central Repository for Nevada Records of Criminal History of a service to conduct a name based search of records of criminal history of an employee, prospective employee, volunteer or prospective volunteer. Effective 5/25/2015 expands the existing Civil Name Check Program to allow for entities outside of the State of Nevada to access our Civil Name Check Program to conduct name based background checks for an employee, prospective employee, volunteer or prospective volunteer by an employer, a volunteer organization, or an employment screening service. So it just expands on what we already have.

Questions comments on AB47?

AB457 (On behalf of the Legislative Commission) revises provisions relating to reports submitted by certain entities. Effective 7/1/2015 relating to Uniform Crime Reporting statistics. This bill removed the requirement to present to the Governor a printed crime statistics report. The new requirement is to post the report on the website. It also removed the requirement to present to the Director of Legislative Council Bureau a printed report containing statistical data about domestic violence. The new requirement is to post the report on the website. It also revised the required reporting date of February 15th to July 1st for orders for protection against domestic violence statistics provided to the Director of LCB.

Questions, comments on AB57?

SB192 sponsored by multiple Senator, providing that certain employees of or volunteers at a school and certain employees of a college or university who are convicted of engaging in sexual conduct with certain pupils are subject to various statutory provisions relating to sex offenders. The amendatory provisions of Sections 1 to 4, inclusive, 10 and 11 apply to offenses committed on or after October 1, 2015. Sections 5 to 8, inclusive, 12 and 13 apply to offenses committed before, on or after October 1, 2015 – so senate bill 192 requires employees of or volunteers at a school or university who are convicted of engaging in sexual conduct with certain pupils or students to comply with certain mandatory conditions of registration pursuant to NRS 179D.097 enacted in the 2007 legislative session under AB579 which has not been implemented due to various legal challenges. Therefore, they are not subject to comply with the registration requirements until NRS 179D.097 is implemented.

Questions, comments on SB192?

SB175 again multiple Senator, requiring the Department of Public Safety to make certain determinations before issuing a list of states for purposes of concealed weapons permit reciprocity Effective 6/2/2015, AB488 made further amendments to SB175. This is related to the list of states for purposes of concealed weapon permit reciprocity. This bill requires the Department to determine whether each state requires a person to complete any training, class or program for purposes of preparing the list rather than being substantially similar to or more stringent than the requirements set forth in NRS 202. So they kind of loosened that up a little bit. AB488 further amended SB175 to remove the requirement that the Nevada Sheriffs' and Chiefs' Association must agree with the Department's inclusion of a state in the list. Therefore, the final decision now is the responsibility of the Department of Public Safety after review by the Attorney General's Office.

Questions or comments on SB175?

SB240 multiple Senators, related to mental health record reporting, disposition reporting, and private party background checks to acquire a firearm. Sections 16.3, 16.5, 16.7, 20 and 21 effective June 2, 2015. Sections 1 to 16, inclusive, 17, 18 and 19, effective October 1, 2015. SB240 requires a court to transmit to the Central Repository for Nevada Records of Criminal History a record of any court order, judgment, plea or verdict concerning the involuntary admission of a person to a mental health facility, the appointment of a guardian for a person with a mental defect, a finding that a person is incompetent to stand trial, a verdict acquitting a defendant by reason of insanity or a plea or finding of guilty but mentally ill, along with a statement that the record is being transmitted for inclusion in all appropriate databases of the National Instant Criminal Background Check System and the National Crime Information Center within 5 business days. It also requires each agency of criminal justice to submit information relating to records of criminal history within 60 days after the date of the conviction. Lastly, it prohibits the Central Repository from charging a fee to perform a background check for a private person who wishes to transfer a firearm to another person to request the Central Repository to perform a background check on the person who wishes to acquire the firearm. It does allow the Director of the Department of Public Safety to request an allocation from the Contingency Account in the State General Fund if necessary to cover the cost of providing background checks without the imposition of a fee.

Questions or comments on SB240?

PK O'Neill:

Thank you madam chairman , can you remind me again the procedures you are going to use to stop somebody from abusing the system just to get personal background on an individual, proof that is it actually for a firearms transfers. I know you did it for me once but a lot of things have happened since.

Mindy McKay:

Well we are going to have them complete a form, we're going to have a process put in place and we are working on that right now, because that portion of the bill for private party background checks does not take effect until Thursday, October 1st. So there's not a whole lot that we can do as far as ensuring that what they're telling us is accurate, but we are having them fill out a form and submit that form to us.

PK O'Neill:

Is that going to be in person then, or can they do it by phone?

Mindy McKay:

It is going to be in writing, and we have 5 business days to return a response to them.

PK O'Neill:

So if I understand correctly, person living in Eureka will have to get the form via...

Mindy McKay:

We will post it on our internet website.

PK O'Neill:

They'll download it, fill it out, mail in it or can they submit it electronically?

Mindy McKay:

They can submit it electronically, they are going to have to follow it up I believe though I'd have to look at our process that we have in place, I can get back to you on that specific piece of it. But I believe we are going to be requiring a follow up on the original in writing, excuse me, like in the mail, so that we have the original signature of the person, but let me look up those processes and I can get back to you on that.

PK O'Neill:

Is it both the seller and the purchaser, or is it just the seller that has to sign?

Mindy McKay:

I am trying to remember the form; I should have brought that with me.

PK O'Neill:

As a suggestion you may want both, just to, maybe, lessen some of the abuse.

Mindy McKay:

Absolutely, let me get the form for you and I can definitely get back to you in regards to the actual process that we are establishing for that. Because it is not in the bill, so let me make note of that for you.

Julie Butler:

Any other questions on SB240, Undersheriff Quick?

Robert Quick:

What if any requirements may there be on a local jurisdictions where people are going to come to use looking for this?

Mindy McKay:

For a private party background check?

Robert Quick:

Yes, will the local jurisdictions refer them to the DPS?

Mindy McKay:

Absolutely, yes in the bill it references the Center Repository for records of Nevada Criminal History for the nation instant criminal background check system.

Julie Butler:

Pam, go ahead.

Pam Del Porto:

Thank you madam Chair, and in follow up to what assemblyman O'Neill was speaking about is there any kind of a state statutory requirement, about "I hereby certify that this is an accurate statement", and then is there any enforcement that can be applied, say that a person falsifies a request for that information.

Let me actually get to that section of the bill and then I can read it to you specific from the bill, so it actually says there will not be any, let me get to that language for you because they did put it in the bill. That should be in section 14. Private person who wishes to transfer a firearm to another person may, before transferring, request from the Center Repository, so that's undersheriff Quick's question, they are going to request that from us, person who requests the information pursuant shall provide the Center Repository with identifying information about the person who wishes to acquire the firearm... let's see.. we have the 5 days that we mentioned to assembly man O'Neill to provide the response back... a private person who transfers a firearm to another person in immune from civil liability for failing to request background check pursuant to this section or for any act or omission relating to a background check requested pursuant to this section if the act or omission was taken in good faith and without malicious intent. Does that answer your question?

Julie Butler:

I don't recall that there was anything specific in the bill that said if that a person was submitting a background check under false pretenses, that there was any type of penalty associated with that.

Thomas Carroll:

Can I ask what type of information is the requestor provided? What type of information is provided the person trying to sell the firearm? What is told after the background check is conducted? Is it simply a yes or no that the person is eligible to purchase? Or is there

more detailed information given regarding the reason for which the person is not eligible to purchase?

Mindy McKay:

The information that will be provided back will either be a proceed meaning there were no prohibitors found during the background. A denial, meaning that there were prohibitors found, or an unresolved meaning that there are some unclear information on items that we have to go and further research to gather the information that we need to make a final determination of either a proceed or denial.

PK O'Neill:

However if you give a denial or delay, on a firearm FFL dealer, you actually tell the FFL dealer to tell the purchaser to contact in, it's usually a sign or symptom of something wrong on their background or questions so they can resolve it. Will you be doing the same here, what if you get a hit on the warrant? As we do with FFL, you contact local and send them over. I am asking for the conflict between how FFL's handle it and how the private citizen is going to handle it. And what it might tell the private citizen when they get a denial it tells me that this person has a problem.

Mindy McKay:

Right, in regards to your question, specific to the warrant, if the person has a warrant we will have that person's address, so if we feel that we can contact the local law enforcement within that jurisdiction of the address of the subject of the record. If law enforcement feels that's its serious enough to pursue that warrant they can make that decision at their agency level. So we would contact them if we do come across a warrant, leave it up the local jurisdiction for that process. As far as your question regard to giving a proceed, delay or deny, the subject of the record can call and ask, I am not sure that...I would again have to get back to you as far the process that we are putting in place for private party background checks because it is different than an FFL. So with my note that I have made to get back to you with information I will include that.

PK O'Neill:

Will they be filling out a 4473?

Mindy McKay:

No 4473 form, it will be a form we have created and posted on our website.

Julie Butler:

The devil is in the details of this bill and it is very different for us, in terms of these private party checks what we can/can't release. What do we do, do we continue to do the research on unresolved, those things that we would do on a retail establishment. It is something we are going to be feeling our way though on our way along because this in uncharted territory for the Department of Public Safety and the Brady unit.

Mindy McKay:

So on that note, I do welcome your questions because that will help us to refine our processes. So if you come up with anything after this meeting I welcome an email so we can review what process we are putting in place to ensure that's in there or not.

Robert Quick:

Just from the local perspective if once you have the process ironed out of how you are going to notify the locals we'd like to know that so that we can spread that to everyone and they have knowledge of how that's coming to them.

Mindy McKay:

I will make note of that, thank you. Any other discussion on SB 240? That was great thank you.

As always multiple statutes governing expansion of criminal history background checks for employment/licensing purposes and multiple bills impacting Nevada Offense Codes. We also had various bills that impacted our Brandy Firearms program Sex Offender Registry and uniformed crime reporting, some of those did go over with you, the ones that I actually went into detail were the ones that made the biggest impact, the others regarding those areas were so miniscule I didn't feel it was necessary to cover that in detail today. As always with our Nevada offense codes we do have a large number of those that we are feverishly working on getting those in on time we do have an October 1st deadline and my staff is working diligent to get those NOCs that are effective October 1st in the system by October 1st. The reminder regards to Nevada offence codes is, the primary purpose of a NOC Nevada Offence Code, is to provide a single comprehensive code for all crimes that a person can be charged with and adjudicated by state and municipal courts. NOC's are designed to assist limited municipal and justice courts and district courts in maintaining all crimes that are recorded in their case management systems for which a person is accused and or convicted, law enforcement agencies in maintaining all crimes that are recorded in their citation tracking, records management and jail booking systems, district and city attorney's office with maintaining all crimes in their case management systems of course the Department of Public Safety with maintaining all crimes that are recorded in the state's criminal history repository for arrests convictions and warrants and the office of traffic and safety's Nevada's citation and accident tracking system also known as NCATS if you have head that acronym before, and the Department of Motor vehicles with maintaining all DMV related convictions and failure to appear warrant holds. They are utilized for records that are required by the Nevada justice community to process warrants and other holds as well. As assist in certain DPS functions such as probation and various offender registration requirements. They are used for a variety of different purposes. They are very important to the criminal justice community as a whole. We are working very diligently on those and we appreciate your patience on that. That concludes my presentation. Are there any other questions?

Julie Butler:

Down south, any questions? Very Good, thank you. Now I would like to move on to agenda item 7, the steering committee briefing, I would like to invite Teresa Wiley, from

the Northern Technical Sub-Committee and Patty Peters from the Southern Technical Sub-Committee to the table to present us with their latest information.

Agenda Item 7 – For Discussion: Steering Committee Briefing – Patti Peters, Southern NCJIS Technical Sub-Committee Chair and Teresa Wiley, Northern NCJIS Technical Sub-Committee Chair.

Teresa Wiley;

Madam Chair and Members of the Board, good afternoon. My name is Teresa Wiley and I am with the Sparks Police Department. I am also the chair of the Northern Technical Sub-Committee and a voting member of the Steering Committee.

What I would like to give you a briefing today, in the north and the south we are holding regular Technical Sub-Committee meetings, with all the members, the member of the meeting are TAC's ATAC and users of the system, we have our meeting quarterly and our next meeting is scheduled for November. Where we are going to be providing some Inlets training, the inlets trainer is coming in to our meeting in the north and on another day to the meeting south to do some training on various message key, resources that are available and things like that through the Inlets for the users of the system. Our dates for our 2016 are tentatively set for February, May, August and November. We also are working with the NCJIS modernization, working with Linda Kennedy, we have met regarding some design issues, we have attended a workshop she put on and some design of the RAP sheet so we could get some input from users and the committee there. The way the system is set up to work is that the steering committee works and does some of the details and event details and problems, brings those back to the Northern and Southern Technical Sub-committee, where they can look at all the issues, make their comments, support initiatives or many be not support an initiatives or something like that. And that is pretty much all I have to report. Other than, in the past as we've been part of this process for a very long time, we used to travel and meet together and the state paid for our travel. The recession hit us all and it just wasn't feasible for that to happen anymore, so we were meeting via teleconference and when you're working in group where you are discussing many complicated matters it is very very hard to do over a video conference more or less over the phone. Unfortunately we were trying to video conference our next meeting in October and we were not able to locate a video conference so we will have to do it via the telephone. That is really difficult for everybody they begin to talk over each other. What we have decided as voting members of the committee that our agencies would pay for us to attend one meeting in the north and one meeting in the south. We are hoping that one day in the future that as things begin to get better for all of us that maybe there could be some kind of funding source at least for one meeting in the north and in the south could be paid for by the state to help alleviate some of that. That's all I really have to report. Patty do you have anything?

Patty Peters:

I am, well I was the chair for the Southern Nevada Technical, I've ousted myself after 17 years, I felt maybe they wanted to listen to someone else besides me talk. The new chair for the Southern Technical is going to be Carmine Tarrats she's also with Las Vegas Metro works for a TAC unit and part of this committee since, since I've been a part of this committee, so she is very well versed in everything that we do and how we do it. But in just touching on what Teresa said we are very very committed to the modernization project. We have a lot of attendees at our meeting and they too are very committed in helping with any user acceptance for the testing we're there. Whenever Linda needs us all she has to do is pick up the phone and call. Generally when the north meets that's when the south meets. We kind of coordinate and if there is anything of interest in the south we'll touch base with Teresa and make sure its discussed up north, and then if we feel if it's something we can't resolve on our own we'll push it through the steering then ultimately on to everyone at the advisory. But thank you for allowing us to speak and hi PK.

Teresa Wiley:

I just wanted to know if anyone had questions before we concluded.

PK O'Neill

Just by chance I have just one question and it's addressed to Ms Peter. Is there any truth to rumor that you gave up your appointment when I got appointed to this committee. I don't want to say who told me that...

Patty Peters;

I didn't even know you, I just looked at the top and said "Oneill, like PK" so I googled you. Congratulations!

PK O'Neill:

I just want to say thank you very much for all your years it was very enjoyable when I was there and I am sorry that you are leaving, because I would have like to continued our work and I am looking forward to dealing with Teresa and the group as a whole. So thank you and on your various committees if I can avail some of our services here at LCB please include and I will try to do something for you.

Patty Peters;

Just for the record I am not going anywhere I am just going to be in the background, Carmen is just going to be up front doing all the talking. See you can't get rid of me that easy.

Julie Butler:

Very Good, thank you very much we greatly appreciate the work of the Northern and Southern Technical Sub-Committees and the steering committee so it is a collaborative process and the systems have to work for everybody and we cannot do it with your input so thank you very much to both of you for what you do for the state.

Agenda Item 8 – For discussion & possible action: Review of NCJIS Advisory Committee by-laws and NRS 179A.079. The Committee may take action to revise and/or adopt the NCJIS Advisory Committee By-laws.

Julie Butler:

Moving on then, the last item that's on our agenda is a review of the NCJIS committee bylaws and authorizing statutes, did I forget something; I think that's an old copy, a review of our bylaws in chapter 179A079. Has anybody had an opportunity to look over the bylaws and authorizing statute 179A079, let's start with that? I would like to just open up with my own observations and then open it up for discussion. For years I have had felt that one of the things that we are really lacking in the state of Nevada with respect to our criminal justice agencies is an overarching binding policy making board that sets standards for all of the criminal agencies state wide. In terms of data sharing, we have this committee but its scope is pretty limited, in that it just advises the repository on data sharing. But what we're seeing is as practitioners in the community that is there is no place to go to set the standards on were all going to enter warrants that same way or we are all going to you know... these are data elements that we are going to share, etc, etc. We have a few standards for some of our shared systems but it's maybe not as complete as it could be and there is no one body that says "this is the policy" and have it stick and bind whether you're a court, whether you're a criminal justice you know a law enforcement agency or a prosecutor there is not that body and I think that hinders us as a state we end up with a lot of silo systems a lot of IT becomes more difficult because we are building interfaces between disparaged systems. It just becomes very, very difficult and very expensive and so I would like to see in amendment in the statute 179A079 that adds that this body recommends and adopts policies and procedure for criminal justice information and sharing statewide. That would be an amendment to the statute. And then I have various suggestions for the bylaws but I guess I'll start by throwing that out there, and just round tabling it and seeing how the other committee members feel about that.

Pam De Porto:

I welcome that suggestion, Julie, based upon the other intelligence sharing, information sharing system that I participate in. Knowing the rules, the parameters that we all are on the same page the same with the same definitions and we manage it the same way. I think it keeps very well organized. My two cents.

Robert Quick

I would absolutely agree, I know we have talked about this in the past, but nothing has really moved forward. And us a committee has always had this issue where we don't really have any teeth to do anything about things. We can make recommendation to the repository but when it comes to the user side there nothing we can do, so I would also welcome this type of a change.

John McCormick:

I think providing some shared policy direction makes sense, but I have concerns as far as teeth or enforcement because this would be statutory which is subordinate to the constitutional separation of powers, so there could be some conflict there if it becomes adversarial. And then also what status would this policy then have as far as is it equal to an administrative code, does it have... what exactly is that. And then what are the “teeth”, that would be another thing we would have to think about in amending the statute.

Julie Butler:

Down South, Vegas do you have questions comments?

Thomas Carroll:

Tom Carroll, from Clarke County DA’s Office, I think our office is currently in the midst of implementing a new case management system and we’ve struggled with trying to find definitions and make decision as far as what type of information we need to collect so that we are able to report, so we certainly agree with the concept in having better definitions of what is required of the agencies. One additional comment would be that whatever is put into place would need to take in consideration the length of time it be necessary for the various agencies to implement those types of changes because we can see from the time schedule put in place for the modernization project, that nothing of this scale is easily implemented so if something were to be implemented by statute or administrative code, we would certainly ask that there be enough leeway given for the agencies to implement that perhaps take into account the fact of where their existing case management systems are in life cycle and what each agencies plans are.

Julie Butler:

That is a very good point, and what I would envision is that whatever standard we do adopt, we would have to make it clear that is, “as systems are modernized” you migrate to the new standard. We are very sensitive to the fact the resources are scarce not only at the state but at the local levels as well. We certainly don’t want to create any unfunded mandates on any jurisdiction. Having said that at some point you have to bite the bullet and set some standards and say if we want to share data electronically, and we do, we cannot continue to drown in paper, these are the standards, so trying to do that balancing act.

John McCormick:

And to follow up on my earlier comment, I think the courts would welcome standards, that’s one of the things I often hear, “well what exactly do you need and how do you need it?” and so I think putting a little more weight behind it or at least getting everybody to agree on it, would make folks a little more apt to adopt it if there was some sort of stamp of approval.

PK O’Neill:

My thoughts were an offer to you. I would be happy to carry a bill. But first I would ask that you prepare the NRS request discuss it with your DAG to ensure that it is going to meet the separations that the courts may have or any issues they may have and look at

it to be sort of a generalized statement that allow regulations. As we all know legislature only meets every two years, we prepare a year ahead of time, so we are about 3 years behind most power curves where the regulations would allow you to still have enforcement and policy procedures that you can enact but give you a little more responsiveness to the ever changing needs of the individual agencies, IT and criminal justice as a whole. But I would be happy to... and all would have to meet, if you could do it in advance so its meets the approval of the sheriffs and chief, district attorneys association our various members, and then I would be happy to even pre-file if we can get it done in a timely fashion. I will carry that for you with no problem.

Julie Butler:

Well thank you, that's a very pleasant and generous offer for you to do that. We greatly appreciate that I just think it is interesting, there was a bill that was floated in the 2015 session by Judge Hardesty, I can't remember, what the number of that bill was, but it was essentially a bill that would require a criminal justice information system to be built, and I testified to that bill and said, "well we already have that and it's called Nevada Criminal Information System" I get the sense that even in the use communities that there is not that feeling of overarching policy setting and I think that's where its sorely needed. It's a big gap.

John McCormick:

I was just going to say I think that bill was an advisory commission on the administration justice bill and there were several items on there that was one of them. There was also pre-trial risk assessment and some back end offender stuff.

Julie Butler:

Well as our homework, department of public safety will draft up some language and pass it by our various user groups, steering committee, sheriffs and chiefs, etc. definitely our legal counsel and float up a test balloon and see what the feedback is. We will be getting back to Assemblyman O'Neill and I would like to float a mock up to our next, this is only our first meeting this calendar year? Second? Ok if we met early in calendar year 2016 we can get an advisory committee to look at that. Any other comments on the NRS? What about the bylaws? These have not been updated since this committee was reconstituted in 2005 I believe when Assemblyman O'Neill was the chairman. Yes 5/30 of 06. So, I do have several things I wanted to change, but I will open it up to the members to the pleasure of the committee is.

John McCormick:

First of all, I got a little spastic about the format, because it is not in traditional bylaw format, I did start to write it that way, I just did not get that far. I do see several places where we could massage it a little bit.

Julie Butler:

What I am going to do it just go page by page, on page 1, I thought there ought to be a statement about what the reason for the committee is, this is created pursuant to the statute, we conduct our meeting in compliance to Roberts rules of order. We conduct

meetings in accordance to the Nevada open meetings law. I will put this all in a mock up of the minutes, these are just my comments. It's not clear to me what it means "a majority of NCJIS advisory committee members in good standing" I don't know what that means, what is a member in good standing? Although we allow people to send proxies we don't say that in our bylaws in bullet point 4, so I think we should say that. Talking about election of officers at the annual meeting, I think we should say, at the first or second meeting of calendar year. And then it talks about, in the last bullet point from the bottom on page 1, that the committee will receive reports of all discussions and suggestion, and my comments is and do what with them. So we get these reports, let's say from the Northern Technical subcommittee or say representation of the committee and we do what? That's where the amendment to the statute comes in and if we need to make a policy, we make a policy. If we need to change a procedure, we change a procedure. But so far we don't really have the statutory authority in my opinion to do that. Those were my comments on page one, as you can see my intent today was just to gather suggestion from the group and then come back with a mock up for our next meeting. So, at this point I will just open it up for anybody who has additional observations with respect to page one.

PK O'Neill:

I have a question, how much time do you want to give this? Because I have several thoughts and I am sure everybody does. Because really we are going to be massaging words to give you an example; like the one point you discussed the second to last bullet point. The NCJIS Advisory Committee will receive reports of all discussions and suggestions from the NCJIS Steering Committee and NCJIS Northern and Southern Nevada Subcommittees and then do what? Maybe you want to put in there and then brought forth for possible action at the meeting. I would almost suggest or request for expediency, why don't you do your mock up present it and allow us to discuss it at the next... otherwise, and I apologize, we will be here for quite a while. Because you have some excellent ideas that I would love, and I think most of us would agree with. You have a great comment when you say "what is in good standing" and I would say I remember back on 05/06 there were some issues with the board that we inserted that, and I can't recall why, I just can't fully recall. You brought up some, I didn't see a definition of what that does mean. That would be my short suggestion; it is to at the next meeting give us your recommendations.

Julie Butler:

I can do that, but what I was hoping to get were some general suggestions before I go forth with a mock up of the repository's opinion, I can give you my opinion but it's not all about me. So I just wanted to get some general comments to include in a mock up before we just went forth and did it they we think it should be. There are nine members of this committee and I am sure you might have general thoughts about what you'd like to see, so I wanted to collect those. John looks like you have a comment.

John McCormick:

I'd change on page two, from co-chair to vice-chair, and then I think we can eliminate the position of Treasurer. Then we can say secretarial and administrative support shall be provided by GSD. I think because we are not a true stand alone non-profit we do not need to have the full complete list of officers and so that's just my thought on that one. Going back to the in good standing, since if you fail to be present at two meetings you can be removed, then what makes you in bad standing if you're kicked off? It seems that, that idea just needs to be flushed out a little bit. I kind of thought under objectives and purposes that may be something we want to look at to combine that into a mission statement for the group. We know our statutory purpose but how are we going to carry out that statutory purpose? I think that will be an opportunity to come up with more a synced statement as to what our goal is.

Julie Butler:
Thank you, Pam?

Pam De Porto:
I have a question. Term limits are prescribed by the NRS 179A079, actually what 079 indicates shall serve a term, it doesn't say specifically that there is a limit to the term that can be served the chair or vice-chair or co-chair. That was one of our topics at the last meeting.

Julie Butler:
Good catch. I also thought on, on terms of objectives and purposes on page 3, we should add a five and a six. Adding a number 5 adopting policies and procedures on criminal justice information sharing applicable to all the agencies and then to form such sub-committee's as maybe necessary to carry out this boards objectives I thought that ought to be part of the objectives and purposes because that is not stated.

John McCormick:
Do we want to include any standing sub-committees in the bylaws that we have to have, or just make them all the committee has the authority ad-hoc to create sub-committees as necessary?

Julie Butler:
I think both, I mean the steering committee has been a standing, well the Northern and Southern committees have been committees for a long time, I guess the question for this board would be do we want to keep that structure, do we want to entertain something else, do we want to... I don't know. That's really a question for this board, if we would want to reconstitute them or change that up somehow, it seems to be working, we have very dedicated support from the locals and we've had this structure for years and years and years, however I don't know if we can really discuss that in depth as we didn't agenize that but it's something that we could discuss in future.

Any comments from Jared or Tom down south on the bylaws, any thoughts after reading them?

Jared Frost:

Jared Frost from the office of the attorney general, like Pam I was looking at the term limits I don't know if we should just strike that language I was confused as I thought this was setting some types of limits, which would be inconsistent with page two, the first paragraph states: The officers may succeed themselves for an unlimited number of terms in the same office position. So it just occurred to me that if they are not inconsistent they are at minimum confusing here and to know whether or not we need to keep that language there.

Julie Butler:

Ok thank you very much, anything else that jumped out at you? Or anybody else?

John McCormick:

Just on page 3 under membership on the last sentence on that section, that should probably say NRS 179A.079 requirements because statute doesn't really do guidelines.

Julie Butler:

Yea, well what I will do, if you have additional specific suggestions that you would like to email to me or Jackie Weaver, my assistant, what we will do is combine those into a mock up and get those out to the committee members for the first calendar meeting in 2016. But now is our time to really see if there is anything really glaring, or something that really doesn't look quite right to let us know and we will get it fixed and we'll plan on discussing that at the next meeting and adopting new improvised bylaws and then also we will work on the potential mock up or changes to the statute and move forward with that. Does that sound like a plan?

Agenda Item 9 – Public comment

At this point we will ask if there is any additional public comment, south or north?

Jared Frost:

None in the south.

Julie Butler:

Hearing none, seeing none

Agenda Item 10 - For discussion: Julie Butler's secretary to contact the committee regarding scheduling next NCJIS Advisory Committee meeting

Julie Butler:

For the next meeting I will have my assistant reach out to you to schedule the next meeting for some time early 2016 probably January, February-ish. Pre-filed Bills are not due until December right?

PK O'Neill:
No, no somewhere in May.

Julie Butler:
Oh okay May, well we have some to-do's as far as mock up's and drafts that we will that to the committee.

Agenda Item 11: For Possible Action: Adjournment

Julie Butler:
Do we have any other business that we need to attend to today?
Hearing none, seeing none thank you very much for your attendance and participation appreciate it very much and my assistant will be in touch. We are adjourned.