

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

**May 8, 2014**

The NCJIS Advisory Committee was called to order at 9:00 am on Thursday May 8, 2014. Division Administrator Julie Butler presided in room 2135 of the Legislative Counsel Bureau, Carson City, Nevada and via videoconference in room 4412 of the Grant Sawyer Building, Las Vegas, Nevada.

**ADVISORY BOARD MEMBERS PRESENT:**

Julie Butler - Division Administrator, Department of Public Safety, General Services Division  
James Taylor - Deputy Chief, Gaming Control Board  
John McCormick - Assistant Court Administrator, Administrative Offices of the Courts  
Robert Quick - Undersheriff, Lander County Sheriff's Office  
Nevada State Assemblyman Tyrone Thompson  
John Helzer - Assistant District Attorney, Washoe County District Attorney's Office

**ADVISORY BOARD MEMBERS NOT PRESENT:**

Nevada State Senator Justin C. Jones  
Jared Frost – Deputy Attorney General  
James G. Cox – Director of the Department of Corrections

**STAFF MEMBERS PRESENT:**

Erica Hall - Department of Public Safety, General Services Division

**OTHERS PRESENT:**

Kendra Callan - Department of Public Safety, General Services Division  
Guinevere Hobdy – Department of Public Safety, General Services Division  
Mindy McKay – Department of Public Safety, General Services Division  
Greg Fisicaro – Department of Public Safety, General Services Division  
Erica Souza – Department of Public Safety, General Services Division  
Julie Ornellas – Department of Public Safety, General Services Division  
Michael Jensen – Nevada Attorney General's Office  
Patty Peters – Las Vegas Metro Police Department  
Carmen Tarrats – Las Vegas Metro Police Department  
Tom Carroll – Clark County District Attorney  
LaSharla Purtue – City of Las Vegas  
Kowan Connolly – City of Las Vegas

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

*Julie Butler:*

Ok, Good Morning. We will call the meeting of the Nevada Criminal Justice Information System Advisory Committee to order. Erica, will you call roll please?

*A roll call of the Advisory Board verified the presence of a quorum.*

## **Agenda Item 2 – Public Comment**

*Julie Butler:*

I would invite any members of the public who are here at this time to provide any comments on the record.

*Pause*

*Julie Butler:*

Ok, seeing none in Carson City is there anybody in Las Vegas that would like to provide any public comment? Ok, seeing none we will move on.

## **Agenda Item 3 – MTG Computerized Criminal History System Records Audit Executive Summary (for discussion)**

*Julie Butler:*

Our next item on the agenda is the item 3. The MTG Computerized Criminal History Systems Records Audit. I will invite Guinevere Hobdy from the DPS Records Bureau up to make a presentation. You all should have received the Executive Summary via email earlier this week. So, Guinevere will present those findings and then we will open it up for any questions from the committee members. So, Guinevere?

*Guinevere Hobdy:*

Thank you committee members. My name is Guinevere Hobdy, I am with the Nevada Department of Public Safety, General Services Division. The Criminal Records Audit was extremely successful in validating and substantiating the 2011 Disposition study findings. Examples of those validated findings are:

1. No single point of ownership
2. Widespread inconsistencies
3. Policies and procedures both vary and are not well understood
4. Transfer of criminal history data is manual

The objectives of the audit were met and also validated. Some of these objectives were to establish baseline statistics, determine where criminal records are incomplete and to identify future needs such as outreach programs, and the criminal history modernization. To date DPS has implemented and/or completed several projects outlined in Initiative 1 of the National Criminal History Improvement Program, known as NCHIP; those projects are the Records Quality Audit we are reviewing now, the outreach program and the Disposition Backfill Project which are both currently underway.

The audit confirmed the findings as mentioned above but it did not provide the exact cause or why we have these inadequacies. However, the success of the audit, previous studies and staff knowledge of the frequent issues with the criminal justice agencies has helped us to extrapolate a few conclusions as to how and why. For example the widespread

inconsistencies finding is a direct result of various case management systems, lack of standards, requirements, regulations and enforcement. Another example would be the transfer of criminal history data is manual which results in errors or delay in recording, this is a direct cause of various case management systems and Livescans with no interfaces between them.

I would like to review in detail the Final Data Quality Assessments Results as they provide an overview that will explain why our criminal records completeness and accuracy are so low. On the Executive Summaries that I provided you, or that you were provided, Page 5 right column last table the first row, probability of a recorded, complete, accurate and timely arrest records were 28.32%. Of the 4 items audited both recorded and timeliness were in the 97th percentile. This is due to electronic submission of arrests to the state. This success proves, validates and solidifies that electronic processing is the best course of action. As for the items accuracy and completeness these numbers are low 60% for complete and 28% for accuracy. This is due to a variety of things however the most common are: At the time of arrest information being entered multiple times; once into the case management system and again into the Livescan. Each arresting agency has their own RMS and/or Case Management System as well as a Livescan and in most cases there are no interfaces like I mentioned above. In addition there may be missing information that is not in the Livescan machine, that's on a probable cause sheet, for example a NOC, a Nevada Offense Code. If they are not updated in a timely and the officer is booking on that the arresting agency is sometimes left to determining, or picking, what they think might be the best.

Then on column 2, for the probability of a recorded, complete accurate and timely disposition record was 21.63%. We have learned that timeliness was not an issue for what dispositions we did receive which was an average of 80 days after a case has been closed, beating the national average of 90 days. So, we were successful there. The percentage for the areas of recording and completeness are well known from the various studies over the past 5 years to include this one. The cause is simple, the state does not receive all dispositions; there are no standards or requirements, no interfaces or minimal electronic submission, and so on. The overall percentage was 24.97% of total records complete, recorded, accurate and timely.

In closing, the results were not surprising and can only aid us in our future goals to improve criminal history by implementing and completing the NCHIP initiatives and projects. Although we continue to dedicate resources toward improving CCH records it is clear that government approval and support of improved technology and automation between DPS and the courts and other criminal justice agencies is necessary to move forward. This study also made it clear that guidelines, standardization, continued outreach and education, and a single point of authority are necessary for progress. Anybody have any questions?

*John Helzer:*

I have a couple. Page 7. It talks about the next steps. Having identified so many things that need to be addressed, you know the manner in which things were submitted, whether or manual or electronic, completeness, and you reference four problems. I guess my point is, I was looking at the next steps and my question is has there been any effort to sit there and say if we have these problems paramount in the prioritization is this? And the reason I ask that is, I understand that there is an interest in saying we want a complete record. We want to know what happened from the arrest until the court disposition is sent. Long ago,

and going back to PK O'Neill, there was this recognition by the board that paramount to law enforcement to district attorney's offices, pre-sentence investigation preparation were simply what were they arrested for, what did they plea to? Or what was the sentence? And we actually, at that time, said, let's just suspend many of the other things and just focus on that because the officer on the street needs to know who was convicted of a violent act. That needs to be in your, P&P needs to know failed probation. So, I guess my question is, because I see a lot of let's modernize, the effort, let's get everyone up doing this electronically. I'm not saying that doesn't have merit, but then I see in the past there have been efforts to say the district attorney's office needs to tell us you know, what happened to those charges. And I'm wondering what is that effort if any to say, this is what we want to focus on first, and how does that incorporate into what you said is the anticipated outreach program. What's the plan?

*Guinevere Hobdy:*

Well, currently we're following the initiatives from the NCHIP recommendations, which was the backfill disposition recording. We've already started outreach and education which has been met with a lot of success. Establishing what the state needs has been important.

*John Helzer:*

That was a long diatribe I laid on you. I asked about the outreach. What does that mean? Because a long time ago I was saying that if so many people turned over that there is a need to get back over to the counties and say this is what we need, this is what we see as possible solutions and maybe tell them where is this coming from. If you want to go electronically is there funding? Bring them into the fold. I'm not sure if that's what you mean by outreach or what?

*Guinevere Hobdy:*

Correct. The outreach and education we have done recently has been focused on establishing on what the state needs to ensure that criminal records are complete. When I performed the outreach and education in the three counties, or the three areas of the state, I included everybody. So, we included district attorneys and prosecutors and city attorneys and courts and arresting agencies, so they were all together, they all understood, who and what you did, what did you need, how they all came together. They understood what role they played, which was really beneficial. I don't think it had ever been done on that level, having them all together collaboratively, the jurisdictions, all the agencies within the jurisdiction to understand what role they played and what information pushed back and forth and how it ended up with the state. So, that's been very positive and it's been met with a lot of success.

*John Helzer:*

Then that brings me back to we understand there is a matching issue, we understand that there is a need to catch up on dispositions. Is there any kind of, and maybe it goes back to the study, what is the priority? Is it to catch up on that? Is it to have the courts that are not reporting? Because I don't care what you do in the sense of having law enforcement or the district attorney, or anybody, do anything in the sense of recording dispositions if the final one from the court. I know there have been vast improvements, but there are still a substantial number of courts that don't report at all, so I guess to me that would be a huge priority, but I don't know if there has been some designated priority by this effort.

*Guinevere Hobdy:*

We actually did a study of who was reporting to us and we established that of the 78 courts the percentage of courts reporting was low, and we started outreaching with them and communicating. We partnered with AOC, and that number has doubled. We now have 56 courts reporting. There's the remaining of the 78 that we need to reach out to, and it is a priority. To be honest, resources are our biggest stumbling block. I have a unit of 5 people including myself and we are responsible for 3 programs. Management has spearheaded and moving forward with getting us additional staff members. We're going to the June IFC to ask for 10 additional staff members because it's apparent that the 5 people can't do all that is needed to meet the priority of getting the dispositions and the criminal records accurate.

*John Helzer:*

And again you know that, that is a priority, is there any ranking? Is there something saying "You've got to get this first, and let's get these caught up"? Because I can tell you I met with the district's attorney's association and they were saying, wait a minute before you start asking me why I charged this or dismissed this, what's the use if, you know the court, and I sensed from the district attorney's association a strong desire to say when the courts report, and then backfill or when we actually have matching, why would there be, why is there an interest in coming to us before we have all the courts reporting and we have adequate matching, and then look at filling it in as opposed to....cause there's some suspicion that they want to use the district attorney's office to somehow carry these cases to the courts and then somehow open the matching as opposed to....there are legitimate reasons such as Brady Bill issues and sex offender notification. But that's why I'm asking about the private tort. Is there a massive effort, or are we going to catch up first and then match, and then catch up these other things?

*Guinevere Hobdy:*

Actually we're doing both simultaneously. They're both priorities. We have the backfill project. We have temporary staff that we currently have in place that are doing backfill dispositions and current dispositions. So, both are priority. One doesn't rank higher than the other. You have to keep your current dispositions, as they come in, entered, and you have to take care of the backfill as we have knowledge of it. And, just to let you know, it's really important that the information that flows from the arresting agency to the prosecution to the court ...that the standards are established, because that is one of our biggest obstacles when we talk about no matching. The arresting agency issues that arrest and the process control number, which is what the state relies on. That process control number, if it's not being pushed through the prosecution, pushed through the court, is one of our single points of failure, of getting that information in, so it's critical. Prosecution plays a huge role because they're the ones determining whether or not that case goes forward, and if it does go forward and it hits the courts then we need that information in order to be able to match to the arrest.

*John Helzer:*

One last thing, in your outreach, I do think that it would be a value, to, not on a broad level, but to, there's a lack of understanding by all of the prosecutors, all of the offices, as to why that has real value. Now, carrying a number through from the arrest simply to the court may be great for the state in the sense of matching, but there are serious questions at the district attorney's association about the value of, say, knowing every little step of what they do. A

guy's arrested for 8 burglaries, I charge 4, and negotiate to 2. And they're saying what is this real need to keep....and maybe an explanation and discussion would be a value to that group, because it's certainly, I think, a legitimate question on their part, and something to consider.

*Guinevere Hobdy:*

And I can actually answer that quite quickly.

*John Helzer:*

Well, I'm just saying, it's not really an answer, it's a request to reach out and meet with them because I'm done conveying stuff back to them without somebody who can actually come in and answer their questions.

*Guinevere Hobdy:*

I would love to attend.

*John Helzer:*

Great. Thank you.

*Guinevere Hobdy:*

You're welcome.

*John McCormick:*

Thank you. John McCormick for the record. You said of 72 courts there were 56 were reporting?

*Guinevere Hobdy:*

78 courts.

*John McCormick:*

Oh, ok. Is the list of those that you consider not reporting available that can look at?

*Guinevere Hobdy:*

Absolutely.

*John McCormick:*

Ok, so I would really like to get that from you.

*Guinevere Hobdy:*

For the record, all the AOC courts are reporting.

*John McCormick:*

But again, if there's something that can be done to address those other few courts, we can work on that. And then again, just looking on, let's see I think page 6, Policy and Procedural, Policies Regarding What Constitutes a Retainable Charge Is Not Well Understood and I think if we worked on that because, myself, I had some confusion in that area, and what charges we're concerned about, and which ones we need to retain and report and those things. And then again I think, from my perspective, from the court perspective, the reporting standards are something that I think we can do a lot of outreach

in terms of getting that information to the courts and working with them to try come up on that. And then of course, as Mr. Helzer said, there are some questions as to tracking all the charges and then with the courts we run into plea bargains and we run into if it's a felony being picked up from justice court to district court, and then the disposition of that charge at justice court is that it was bound over to district court. So, is that the disposition we're after? Or do we want the district court disposition where they took the plea to the gross and got probation or whatever? So, I mean there's, some of those intricacies of the court process that if we could collectively wrap our heads around on dealing with that, and pulling the information that we need out of there, because there is a lot of extraneous stuff, John said, you know, he gets 8 burglary charges, charges 4 and pleads to 2. You know, what out of that is the real important stuff that we need to capture?

*Julie Butler:*

We did, and Mr. Helzer's correct. A few years back we tried to take the stance of here is the arrest and what was the ultimate disposition of that arrest and that's all you need to know, and what we discovered, once we dug a little deeper, was that our criminal system is individually charged based. So, while we wanted to do that, and take that overall, what's the final outcome of the case there's this discrepancy, and it's not just us, it's nationwide. State repositories are built around charges because everything that we do stems from the arrest, but by the time it flows through to the DA it's on a case, Do you have a case against this person? And then, it goes to the court. Do I have a case against this person? What's the disposition of this case? So there's that conflict. Now the good thing is that we're in the process of, putting our needs together to replace our criminal history system, so if we want to change that mechanism or how we report that, now is an opportune time to start thinking about how we want that to look in the future to maybe make that matching easier. In terms of our prioritization of our problems, Guinevere's correct. We do need more resources, and our effort right now is to catch up on all those missing dispositions. It has come to our attention that there are nearly 870,000 dispositions that have not been reported to the repository in over a 20 year time period. We're going to be going forward to the Interim Finance Committee in June with a request, it's actually 20 positions, and in addition we've applied for a grant to get 10 more to try and get those records complete because we feel that now that we're aware of these, we feel that we have an obligation to make those records complete, because they are relied upon, as we've talked about in past meetings, for Brady background check, for sex offender registries, the cop on the street, the licensing and regulatory agencies, so our effort is to catch up, and I can appreciate the DA's having some questions about, if the courts aren't reporting, why do we need to report. And I think that we do need to do a better job in getting that outreach, and we're just beginning those efforts. So, I think in terms of that prioritization, it really is completing the record, then we can go back and look at from which DA's office are we missing charges, or from which court are we missing dispositions, etc, etc. Does that answer your question, Mr. Helzer?

*Mr. Helzer acknowledges that it does.*

*John McCormick:*

And again, as we're talking about resources, and the obvious need for records to have resources, I think I'd be remiss in not mentioning that again, it's about where we're placing our resources and DPS has come to the realization that we need to work and get the resources here. It's also a challenge I think for the courts, the DA's, law enforcement, to

have adequate resources to devote to the reporting. I just felt I needed to put that in the record.

*Tyrone Thompson:*

Madam Chair, this is Tyrone Thompson for the record. I have a question it might be for the MTG or it might be for you, Madam Chair. On page number 4 where we talked about audit responsiveness, I was wondering, because it seemed like it was quite a challenge to get data, so I'm wondering on the front end do we have some type of release of information, user agreement, what in part of the audit talks about in the 2011 report where they have some technical issues. So, what, if any, do we need to address so it's just an easier process to share data?

*Julie Butler:*

Thank you for your question, Assemblyman. Yes, in terms of MTG gathering the necessary records that they needed to conduct the survey we had some difficulty in obtaining some of the court records. Some of them simply weren't there, was the bottom line. We do have contracts with every one of our criminal justice agencies that indicates their responsibilities, but it's mainly around criminal history. The use of the criminal history records, how you store it, who gets it, how do you dispose of it, and those kinds of things. It doesn't really address when do you report, how do you report, and I think that's an excellent observation and probably something we should include in future user agreements. And actually I think our training and audit unit has recently taken a look at that unit in terms of trying to revamp it, and that's something that we would like to start looking at when my staff does go out and audit is what are you reporting to us and when are you reporting us, to help address some of this reporting gaps that you see. Does that answer your question?

*Tyrone Thompson:*

Thank you, it does, and I will have a follow up question going up further. On the process do we feel like, and this is a question for MTG, that the sampling size was sufficient? And then where did you come up with, I see where you said on Audit Responsiveness you saw 384 from both of the entities, just wondering, just curious you know, with the statistics analysis where did you come up with the 384? And being that we're trying to establish a baseline? Do you feel that is a sufficient number or....?

*Julie Butler:*

I do feel that it was a sufficient number. What MTG tried to do was look at basically felony charges the charges upon which an individual would be denied a firearm. And so, they started with what they assumed was a population of 250,000 felonies and backed into it from there. So, they knew they wanted to achieve a 95% confidence level, so there is this statistical formula where if you know your population and you know what confidence level you want to obtain, you put it through the formula and it gives you your sample size. So, the sample size to achieve that level of confidence was 384 records. So what they tried to do was follow a charge from arrest to disposition to see ok, what did the law enforcement report to the repository? What did the court report to the repository? Do those things match?

*Tyrone Thompson:*

Thank you.



*Julie Butler:*

Are there any other questions from the committee?

*Robert Quick:*

Robert Quick. Out of the courts that aren't reporting, or haven't reported, do you have any kind of analysis of why they haven't been reporting or why they're not reporting?

*Guinevere Hobdy:*

Because I haven't actually spoken to those courts yet, that is on my to-do list, to reach out and speak to those courts. I don't have an answer, what I can tell you from previous conversations with courts that AOC and DPS reached out to back in January that they either didn't know, or they thought the arresting agency was doing it for them. So, and over time, whoever that person was at the arresting agency seemed to have retired or moved on, and that wasn't happening. So, that seems to be the two most common reasons.

*Robert Quick:*

Follow up question, Madam Chairman, with regards to the audits, I think we're going to run into issues with trying to incorporate audit requirements into the user agreements for so many entities that don't have any mandated contact with direct access to the systems there is no reason for them to enter into an agreement for auditing purposes. I truly think because of the vast number of entities across different areas of expertise, court and law enforcement and prosecutorial, this may end up needing to be addressed in a BDR with legislation so that it can be mandated through a BDR and conversation and a committee so that we can come to a consensus and the legislature can mandate it across all areas of expertise so it is done consistently.

*Julie Butler:*

I agree. Any other comments or questions, suggestions from committee members? Ok, hearing none we will go to agenda item four.

**Agenda Item 4 – Receive, review, discuss and possibly implement recommendations of the NCJIS Disposition Reporting Subcommittee for improving the completeness, timeliness and accuracy of criminal disposition reporting by criminal justice agencies. (for discussion and possible action)**

*Julie Butler:*

This is the receiving, reviewing, discussing and possibly implementing recommendations of the NCJIS Disposition Reporting Subcommittee for improving the completeness, timeliness and accuracy of criminal disposition reporting by criminal justice agencies. If you will recall from our February meeting we convened a subcommittee made of various criminal justice agency representatives to take a look at the issues of disposition reporting and to come to this body with some recommendations, possibly with our eye on a maybe a potential bill draft request for the 2015 session and so Guinevere Hobdy chaired that subcommittee for the DPS General Services Division and I will turn it back over to Guinevere now for her presentation on those results.

*Guinevere Hobdy:*

Thank you.

*John Helzer:*

Madam Chair, John Helzer, if I could interrupt? What is the action? I understand “receive, review and discuss” and “possibly implement” maybe I’m just, I did receive the MTG Executive Summary, but is there something actually reduced to writing that exists right now to receive, review and for discussion because it seems like precedes any implementation or approval and it should be reduced to writing at least. I am off base here? Because I’m not seeing it or I don’t have it.

*Julie Butler:*

Mr. Helzer what were going to do right now is receive orally the subcommittee’s recommendations, and the possible action would be whether or not this committee wants to adopt any of those recommendations going forward and basically set up some statewide policies, if you will, for criminal justice information reporting.

*John Helzer:*

John Helzer again. I am in opposition to having any action taken based on an oral presentation. I think it’s important enough, it’s been discussed long enough, it’s been around long enough, that if in fact something is going to be considered and voted on it ought to be reduced to writing so it can be reviewed, disseminated and then acted upon. Those are just my comments.

*Julie Butler:*

Ok, thank you.

*Tyrone Thompson:*

Madam Chair, this is Tyrone Thompson. I concur.

*Julie Butler:*

Ok, very good. Guinevere?

*Guinevere Hobdy:*

Ok. Guinevere Hobdy for the record. The disposition subcommittee has held two meetings which produced a survey. It was important to understand what data elements of criminal information the criminal justice agencies received and sent to other agencies. Participation by the courts was high however overall only 18% of recipients responded to the survey. The low participation number did not discourage us and in fact it was beneficial in our decision that a more grassroots approach is needed first in preparation of mandates and regulations that can be considered.

The recommendations outlined below are similar to those that have been recommended by past reports, studies and task forces and what is clear is our end goal of receiving dispositions should be electronic to the State. The recommendations are listed in order of priority to meet the goal and aid us in determining the root cause. DPS General Services Division Fingerprint Support Criminal Records Unit to begin upon NCJIS Advisory approval report monitoring that will produce an exception report. Item number two for consideration is standardization of Forms and Guidelines developed based on exception reports outlined above. Third, education and outreach for disposition reporting, standards and guidelines be established. Fourth, identifying and utilizing long term grant opportunities or program to aid

agencies and courts to improve their disposition reporting. And number 5, to create an electronic mechanism to report dispositions.

*Julie Butler:*

Guinevere, can you elaborate on each one of those, that way we know where to end up.

*Guinevere Hobdy:*

Ok. The item number 1, report monitoring, currently we don't have anything in place that monitors our reports, what's coming in the door. It's manual and not efficient. It will continue to be manual, but there needs to be more effort put towards it to help us determine what the exceptions are. So, what are the errors? So, we would do the reporting of what's coming in the door, find out what the errors are, and then we can create an exception report which we can push back to the agencies to let them know what the deficiencies are. That would also help us establish the guidelines and standards in item number 2, so that was the goal was to determine what are the areas that are incorrect, or missing, or incomplete. How was it happening? And then create a standardization of forms and guidelines based on that exception report, which is item number 2. The education and outreach for disposition reporting in standards and guidelines would just be a continuation of what we established for item number 2 those forms and guidelines. Make sure each year is up to date, everything is still going smoothly, there's no issues or hiccups along the way, or if we need to modify or change anything that would assist in that. And then identifying and utilizing long term grant opportunities or programs to aid agencies and courts to improve their disposition reporting. That was the recommendation to see what was out there, if there was anything out there, to continually look for grants to assist courts and the other agencies because of resources, the resource issue that most of us are experiencing. And then create and electronic mechanism to report dispositions. That's our ultimate goal. How we get there, I'm not exactly sure. Also, with a criminal history modernization issue probably say.

*Julie Butler:*

So to develop an exception report basically to monitor who is submitting what and to let them know if there are any errors or anything that we can identify to improve their reporting. Creating standard reporting forms and guidelines about who reports what to whom and by when...

*Guinevere Hobdy:*

Required data elements....

*Julie Butler:*

Required data elements. And then, continue, so number 3 would be continued education and outreach for judges, for DAs, prosecutors, courts, law enforcement.

*Guinevere Hobdy:*

Yes.

*Julie Butler:*

And then use grant funding to assist with developing standards, or developing, assisting with resources. What would you use the grant funding for?

*Guinevere Hobdy:*

I believe when the committee met, if I can convey this, they were referring to dispositions, assisting with the case management system of disposition reporting to get to electronic interfacing.

*Julie Butler:*

Ok. And then number 5, to create electronic matching, or an electronic information exchange for criminal justice information.

*Guinevere Hobdy:*

Right.

*Julie Butler:*

Ok. Alright, Committee members, do you have any comments or questions?

*John McCormick:*

For the record, John McCormick. I certainly think number 2 in terms of standardization of forms and guidelines would be pretty beneficial in this because then we will be talking about the same things and I think that may be one of the areas where people don't have a clear understanding of what the elements are that they could improve in. And also on the grant recommendation, I support that, but then again I don't know where we're going to find the money honestly.

*Tyrone Thompson:*

Madam Chair, this is Tyrone Thompson. Can we get more clarification on the education and outreach area?

*Julie Butler:*

Guinevere?

*Tyrone Thompson:*

Can you tell us a little bit more please?

*Guinevere Hobdy:*

Based on our outreach and education that we've done this last year we have found that reviewing the standards or what the required elements, explaining the process. Similar to the training that we do for like NCJIS Certification, going over the process, going over what's required, going over the workflow, is really necessary, especially when you have agencies that keep turning over staff.

*Tyrone Thompson:*

Sorry. So the targeted audience is mainly the agencies?

*Guinevere Hobdy:*

It would be all the criminal justice agencies.

*Tyrone Thompson:*

Or when you say outreach and education, it's just agency focused?

*Guinevere Hobdy:*

Right, we would be focusing on all the criminal justice agencies. Your law enforcement, prosecution, and your courts.

*Julie Butler:*

I will say that Guinevere has conducted I think 4 to date, outreach sessions. One of those included actually judges, some that are down in Las Vegas. But basically what those presentations have entailed is just kind of an overview of what is the Repository, what do we do, why do we collect your information, and why is it important? And what role do you play as a law enforcement entity or booking agency. What are you supposed to submit to the Repository? As a DA, what role do you play? What information would we like from you to go to the Repository? As a court, what do we need from you? And the ultimate goal is a complete criminal history record so that we know that when somebody is arrested, what's that ultimate disposition so that all of the users, as we heard from the last meeting that have such a problem with the incompleteness of the records, so that they have the information that they need, to...for that cop on the street, for that licensing agency, for my staff to do firearms background checks, whatever it is, so that you all the information that you need to make those critical decisions.

*Tyrone Thompson:*

Ok, and I have a follow up question. Is there any intent to do any true public participation so those that are not in the law enforcement agencies, justice, so on and so forth, to really just get opinion and/or educate community, because I think sometimes that's always the missing link.

*Guinevere Hobdy:*

Guinevere Hobdy for the record. Thank you, that's a great suggestion. That's not something we had considered.

*Julie Butler:*

I think we certainly could open those up, and make those open to the public. As Guinevere said we hadn't really considered the role that the public would play, but certainly, you know, as victims and as just members of the public that have a stake in their community would definitely be welcome and we would welcome their suggestions.

*Robert Quick:*

Madam Chair, Robert Quick. Do you have statistics regarding the outreach you have already done as far as numbers of entities that were invited as opposed to who actually showed?

*Guinevere Hobdy:*

Off the top of my head, I don't remember how many invitations we put out. I know I submitted to the TACs in the north. When I first started it my invitations to the South were done a little haphazardly, unfortunately, and could have been done better so I'm going to be back in the South to do a more formal invite of the TACs and the ATACs and other members of various agencies. I can tell you that I had to add a second class in the North because the response was so positive and each of my classes was full and bursting at the seams.

*John McCormick:*

John McCormick. You were at the limited jurisdiction seminar in North Las Vegas, correct? I think there were 16 plus judges there if I recall, those being limited jurisdiction.

*Robert Quick:*

And a follow up question, the subcommittee's recommendation for additional outreach, training, and meetings, do you intend that to be the same type as in an overview, or more detailed outreach?

*Guinevere Hobdy:*

More detailed. One of the things that we learned, although the outreach that we had done was an overview and provided a baseline, we learned that from the participants that a need for more detailed outreach and education was wanted. They want that breakout session, they want that, you know, hands on training if you will. I've been asked to attend, to do one-on-one training with different agencies: Carson City SO, Humboldt County Sheriff's Office, I'll be attending...I'll be holding a one-on-one with their agencies specific. So, more detailed.

*Robert Quick:*

Thank you.

*John McCormick:*

I think one thing at odds as far as court education, and we struggle with this as well, not only educating the judges, but educating key court staff on it, and that's somewhere we kind of have to think out of the box to find those opportunities.

*Julie Butler:*

Any other questions or comments from the committee?

*James Taylor:*

This is James Taylor, Madam Chair, in Las Vegas. I have a question about this. I'm still fairly new and trying to understand it, but couldn't this become an audit point when they come around to our agencies and check on compliance and then it becomes an audit point and it has to be corrected, and then we gain compliance that way?

*Julie Butler:*

Yes, you're absolutely right. It's not something that we have done in the past, but, like I said, we are in the light of all these hundreds of thousands of dispositions. We have come to the realization that we also need to reexamine the way that we do business, and to look at, starting to audit these things. Who's supposed to submit what? Are they submitting it? Are they submitting it timely? Are they submitting it accurately, etc, so, yes, we could address it through audit, and we will start addressing these issues through audit.

*Robert Quick:*

Madam Chair, Robert Quick, I'll reiterate my statement earlier regarding using this in an audit and that would work fine for those who participate in audits, but for so many entities that don't, it's a vast gap, that it's not going to be covered and you have no authority over it. So, you're going to miss a huge amount of compliance.

*Julie Butler:*

Right, I do appreciate that, and I think that, it's going to have to be, those audits are always agency specific, and so it if applies to that agency that's something that we would have to look at, if it doesn't, then it doesn't. I do have to agree that in the larger context, either some regulations, or bill draft request, would be needed to really, I don't want to say put some teeth in it, but maybe clearly identify what the expectations are, and the what the responsibilities and duties are. Ok, well, given the objections that Assemblyman Thompson and Mr. Helzer had indicated in terms of adopting the subcommittee's recommendations, I will not be taking a vote, I guess, at this point, to adopt those. We can get those recommendations out to each of the committee members and at our next regularly scheduled meeting can review and formally adopt those. Now, having said that, I don't think there is anything that bars the Repository from putting into place some of these recommendations and doing what we can to help make this better. We were just hoping to get the Advisory Committee's blessing on those as a formal policy body today, but we will go ahead and at our next meeting have something in writing for the committee to review and we'll take a motion at that time. So, are there any other comments or suggestions, concerns, about this presentation and the recommendations today?

*Tyrone Thompson:*

Madam Chair, this is Tyrone Thompson, just have a question about the wording of the agenda item, where it says, "receive, review, discuss and possibly implement recommendations", so, because it looks like we have 4 or 5 bullet-pointed areas, will it be allowable that maybe 3 of them are acceptable and received, or it is to be a full slate, or, I guess, just with the wording of the agenda item.

*Julie Butler:*

We did have our legal review the agenda item, but I'm going to defer that question to Mike Jensen, who is our attorney, sitting in the audience and perhaps you can shed some light on that for us, Mike.

*John Helzer:*

Mr. Jensen, this is John Helzer. Maybe I'm, I think I'm agreeing with what was just said, but, and I have the same questions, not that necessarily what was agendized was legal today, I never challenge that, I just thought it might be better practice not only to put it in writing so that people could, so it could be disseminated and maybe further discussed prior to the meeting. But I also like the idea that maybe they are considered individually. Maybe no prohibition against considering them all on the same item, but I, what I thought I heard from Las Vegas was that perhaps it could be something that was looked at individually, maybe considered and voted on individually. Might be to the benefit to have 3 out of 4, as opposed to all or nothing, and I would join if that was what was the recommendation.

*Tyrone Thomspson:*

Madam Chair, this is Tyrone Thompson, that is correct.

*Julie Butler:*

Mike?

*Mike Jensen:*

Madam Chair, members of the committee, my name is Mike Jensen, for the record, I am the Senior Deputy Attorney General. Actually today I am sitting in for the normal lady, assigned

deputy for this committee. In terms of the question about wording of the agenda, I think you have a great deal of latitude how you handle that. If the committee would like to look at these individually, there is no reason they couldn't be bullet-pointed individually and taken action on individually. That is certainly that is something that you could do. I guess from an open meeting law perspective, what I'm looking at is making sure that the public has a clear understanding of what the committee is going to be discussing and potentially taking action on, and that would be on this item today, or items in the future, would be what I would be looking for just to make sure that the public understands, number one, what is the subject matter or topic that you're going to be discussing, if it's looking at recommendation for potential implementation by the committee, I would be looking to have those different subjects that were discussed today verbally outlined on the agenda and I think it makes a lot of sense to outline them individually as bullet-points and then when the meeting comes, you can determine whether you want to group them together for a vote, or take them individually.

*Julie Butler:*

Thank you, Mike. Does that answer your question, Assemblyman?

*Tyrone Thompson:*

Thank you, this is Tyrone Thompson. Yes it does, and I do want to say for the record I wasn't challenging how the agenda item was written, I just wanted to make sure that we have the autonomy to look at it at the bullet-points, individually, instead of collectively. Thank you.

*Julie Butler:*

Thank you, good point. Mr. Helzer, did you have any comments?

*John Helzer:*

No, I thank you for considering it, and I've been the victim of having all or nothing in a couple of occasions and wish I had not phrased it that way. I like this idea, and I think, especially with the ability to group them if we want to, or to handle them individually that leaves us completely flexible, so I appreciate that advice.

*Julie Butler:*

Ok, so, with that advice we just received it looks like we have received, reviewed and discussed the recommendations, so I think we're good there, but like I say, I will fall short of calling a vote to fully get this committee's recommendations, or this committee's vote to implement these recommendations and we will consider those at our next meeting.

## **Agenda Item 5 – Public Comment**

*Julie Butler:*

If there other comments or concerns by the committee members I would like invite any members of the public in Carson City or Las Vegas forward to provide any comments on the record.

*John McCormick:*



John McCormick. Not necessarily a public comment but regarding the agenda item four. I am not speaking for the committee, obviously, but I think, as Julie said, it certainly would be prudent for DPS, particularly, to look at working a little on at least the first three, in my mind. And again, just speaking individually.

*Julie Butler:*

Thank you. Is there any public comment from Las Vegas?

*Pause while attendees in Las Vegas move to the microphones.*

*Patty Peters:*

Patty Peters, Las Vegas Metro and the Southern [Technical Subcommittee] Chair.

*Kowan Connolly:*

Kowan Connolly, Las Vegas Municipal Court.

*Julie Butler:*

Welcome Patty and Kowan.

*Patty Peters:*

And Kowan had a question.

*Kowan Connolly:*

Hi Julie.

*Patty Peters:*

And so, Kowan, I'm going to let you go ahead and raise this, because I'm not sure if I'm raising this correctly.

*Kowan Connolly:*

Ok, I just had a question about if the committee addressed dispositions. Are we going to be sending out dispositions when the case is completely closed, or are the dispositions going to be sent up when they're sentenced? Because when they're sentenced they could have a suspended sentence and it could change, the DA can amend it, the city attorney can change it so I was wondering if we looked at possibly waiting until the case is actually closed and then send it up to the Repository?

*Patty Peters:*

We had discussions at the Technical Subcommittee, and then, I'm not sure, I can't recall Guinevere, if we talked about it at the disposition meeting?

*Guinevere Hobdy:*

Guinevere Hobdy for the record. Thank you Kowan, for the question. We, at the state, accept a final disposition, which is when the case is closed. However, we recognize that when we're, when the courts are doing Crystal Reporting, or reporting right now, that issues sentencing, like through AOC, we get that disposition, which we consider an interim disposition. So, we are posting those, knowing that we will get an updated version when the case closes, because we do have the ability to put that the sentence is suspended onto the criminal history.

*Kowan Connolly:*

I think when we had our Technical Subcommittee meeting Leslie Titus, from North Las Vegas Municipal Court, brought up the issue of the Repository of not having the suspended sentence flag, even though it's on the disposition form, so it's not displaying for her, but I wasn't sure if that's true or not....

*John Helzer:*

Madam Chair, point of order, is this proper public comment? I mean, you know, it just seems like these questions are almost workshop issues that can be addressed, we have willing people and knowledgeable people. You're phone works, you're open for discussion, this just doesn't feel like public comment as much as it does a workshop, and going back to the AG's caution, which I think is justified in Open Meeting Law violations, I mean, what are we doing?

*Julie Butler:*

It was my understanding on the public comment period, that I don't want to limit public participation. Having said that, you know, I think the question was relevant to, what is it that you want? Do you want an interim disposition or do you want a final disposition? But I do think that we can work out those details in our final recommendations to the subcommittee, so I think that that is something that we can work through the subcommittees to come to a definitive answer on for our next regularly scheduled meeting of NCJIS Advisory.

*Patty Peters:*

And we do have the Steering Committee scheduled soon that we can bring it up at Steering too and address it, maybe try to get an understanding.

*Julie Butler and Kowan Connolly overlapping:*

Thank you.

*Julie Butler:*

Ok, is there anymore public comment in Las Vegas? Or in Carson City? Ok, seeing none our next item on the agenda is to schedule the next NCJIS Advisory Committee meeting. Thank you Guinevere.

#### **Agenda Item 6 – Schedule next NCJIS Advisory Committee Meeting (for possible action)**

*John Helzer:*

Madam Chair, if I can, if this is for possible action, I would move that we do what we've done in the past, which is allow for the communication to all the possible parties and confirmation and then see what's available, and then try to set a date most convenient for all. Not necessarily try to set a date seems to work in the past. That would be my motion, waiting eagerly for a second or for some other means.

*John McCormick:*

John McCormick. I would second Mr. Helzer's motion.

*Julie Butler:*

Ok. Any public comment on the motion?

*Tyrone Thompson:*

Madam Chair, this is Tyrone Thompson, I was just wondering if we, could we, because it seems like we have some really good momentum going, and if we could just try to schedule the meeting soon.

*Julie Butler:*

I agree.

*Tyrone Thompson:*

Within the next month or so, so we don't, you know, sometimes when we wait for a few months we lose the momentum, we have to go back and reeducate ourselves, so on and so forth. I agree with the motion, but I just wanted to add that. Thank you.

*Julie Butler:*

Wholeheartedly agree. Thank you. All those in favor of my staff reaching out to determine a convenient meeting time soon?

*All:*

I

*Julie Butler:*

Opposed? Ok. Alright, so my staff will reach out to you to confirm the next meeting date.

### **Agenda Item 7 – Adjournment (for possible action)**

*Julie Butler:*

And at this point I'll take a motion to adjourn.

*John Helzer:*

So moved.

*John McCormick:*

Second.

*Julie Butler:*

All those in favor?

*All:*

I

*Julie Butler:*

We are adjourned. Thank you very much for your time today.

Meeting adjourned at 10:02am.