

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

**February 11, 2014**

The NCJIS Advisory Committee was called to order at 9:00 am on Tuesday, February 11, 2014. Division Administrator Julie Butler presided in room 3138 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  
Nevada State Senator Justin C. Jones  
Jared Frost, Deputy Attorney General, Office of the Attorney General  
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  
James G. Cox, Director, Department of Corrections

**ADVISORY BOARD MEMBERS NOT PRESENT:**

Nevada State Assemblyman Tyrone Thompson  
John Helzer, Assistant District Attorney, Washoe County District Attorney's Office

**STAFF MEMBERS PRESENT:**

Kendra Callan, Department of Public Safety, General Services Division

**OTHERS PRESENT:**

Mindy McKay, Department of Public Safety, General Services Division  
Elizabeth Rasberry, Department of Public Safety, General Services Division  
Bonnie McCabe, Department of Public Safety, General Services Division  
Pam Delporto, Nevada Department of Corrections  
Julie Ornellas, Department of Public Safety, General Services Division  
Karen Haycox, Department of Public Safety, General Services Division  
Madge Cassel, Las Vegas Metropolitan Police Department  
Carmen Tarrats, Las Vegas Metropolitan Police Department  
Leslie Titus, North Las Vegas Police Department  
Bob Roshak, Nevada Sheriff's and Chief's Association  
Patty Peters, Las Vegas Metropolitan Police Department  
Rebecca Garcia, Gaming Control Board  
Hillary Velado, Henderson Police Department  
Tom Carroll, Clark County District Attorney  
Heather Palasky, Las Vegas Metropolitan Police Department  
Kowan Connolly, Las Vegas Municipal Court  
Linda Hughes Hart, Las Vegas Municipal Court  
Lynne Cavaleri, Las Vegas Metropolitan Police Department

Sharnette Hammond, Las Vegas Metropolitan Police Department / Clark County Detention Center  
Guinevere Hobdy, Department of Public Safety, General Services Division  
Robin Sweet, Administrative Offices of the Courts  
Joey Orduna Hastings, 2<sup>nd</sup> Judicial District Court  
Craig Franden, 2<sup>nd</sup> Judicial District Court  
Tom Ely, Department of Public Safety, Parole & Probation  
Scott Sosebee, Administrative Offices of the Courts  
Dwayne Deal, Nevada Department of Corrections  
Lori M. Story, Attorney General's Office  
Laura Snyder, Administrative Offices of the Courts  
Keith Munro, Attorney General's Office  
Shelly Williams, Nevada Department of Corrections  
Patricia Kelly, Washoe County Sheriff's Office  
Charles Palian, Washoe County Sheriff's Office

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

*Administrator Julie Butler:*

I will call the meeting of the Nevada Criminal Justice Information System Advisory Committee to order. Kendra, would you call the roll, please?

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

*Julie Butler:*

I would like to recognize John McCormick from the Administrative Offices of the Courts. He's the newest member of the NCJIS Advisory Committee replacing Scott Sosebee. Welcome to the committee. The purpose of today's meeting is to elicit comments from users of criminal history record information and agencies that report to the Criminal History Repository to discuss barriers that they encounter day to day, in either their use of criminal history record information or in reporting criminal history record information to the Repository. The overall goal of which, I hope, that this committee will look into developing some recommendations the Repository can take forward to improve the status of reporting. Incomplete criminal history record information is a problem in many aspects of the criminal justice community and in the employment and licensing community as well. We do want to get a handle on this problem. We struggle as do repositories nationwide with a lack of incomplete and untimely and inaccurate rapsheets, criminal history record information. It has implications that reach far beyond just the Repository. Today's meeting will be really informal. I want the attendees to feel free to tell it like it is – express the gaps that they're seeing and their recommendations.

### **Agenda Item 2 – Introduction of members of the public and public comment**

*Julie Butler:*

At this point I would like to invite any members of the public who would like to put any comments on the record to do so.

*Patty Peters:* Hi, Julie. I don't have a comment but I know there are quite a few people from agencies coming. I think justice court, municipal court, and also Metro at some point will have information to provide, they just aren't here yet. I wanted to state at some point if you could reopen it for the public to make those comments.

*Julie Butler:*

Patty, absolutely. Actually under Item 4 I'm going to invite people up 2 at a time to, in no particular order, like they do at the Legislature, to testify. Nobody has missed any comment time.

*Patty Peters:*

Thank you.

### **Agenda Item 3 – Summary of the Disposition Study from 2011 (for discussion)**

*Julie Butler:*

Let me backtrack a little bit. I gave a presentation to the NCJIS Advisory Committee in January 2012 where we talked about the disposition study that the Administrative Office of the Courts and the Nevada Criminal History Repository partnered on. We contracted with a firm called MTG Management Consultants to discuss the gaps we were seeing with dispositions. Let me just summarize that report and talk again generally about why criminal history records are important. As users of this information you know it's the foundation of the criminal justice community, both state and nationwide. Such records are used by law enforcement, prosecutors, courts, corrections, parole & probation, social services agencies, and licensing and regulatory agencies. In order to be useful that information needs to be complete, meaning it includes all arrests, dispositions and sentencing information. We know it needs to be timely in that it is reported to the Repository as it occurs. We know that it needs to be accurate and that we can rely on the information reported to us. Criminal history record information is increasingly used by licensing agencies and employers to screen job applicants and volunteers to protect vulnerable populations. In Nevada we have 62 occupational fields plus a myriad of local ordinances that require a criminal history record check prior to employment or licensing. So it's important that the information we're giving back as the Repository to those licensing entities can be relied upon.

We've been working with the AOC since about 2004 to automate the exchange of disposition information between courts and the Repository, with the goal of being more complete, timely and accurate with the criminal history records. We've piloted that with 2 courts but have had really minimal success at that. Carson City Municipal and Justice Court and Las Vegas Justice Court were our 2 pilot agencies. Since the success was so limited we decided to take a step back and partner on this federal grant to conduct a business analysis of the manual disposition reporting process in Nevada. We decided we really don't understand how this is working manually well enough to automate.

We selected MTG Management Consultants in 2011 to conduct that business analysis and recommend a path forward. MTG came in 2011 and they interviewed key staff at the Repository, AOC, local law enforcement agencies, prosecutor offices, and courts to learn how information is shared throughout the arrest and conviction cycle. They interviewed local agencies from Carson City, Clark County, Washoe County, Elko County, and Churchill County. They found something we already knew but it just confirmed what we knew –

Nevada suffers from incomplete, inaccurate and untimely criminal history record information.

The other thing they found was that a lack of governance contributes to poor record quality. There's not necessarily one owner of the rap sheet. Multiple entities are responsible for reporting to the Repository. There are really no teeth in the statutes as far as failure to report information to the Repository; there are no sanctions to that effect. It leads to a hodgepodge of reporting, if the Repository gets information at all. What we do get there's no consistency in formatting which makes it difficult for staff to enter. There's a lot of duplicate reporting, and a lot of late reporting. There's a lot of confusion due to the way some of the statutes are worded about who reports what to whom and when.

Some of the other findings from that study were that the users of the information perceived the Repository's records as inaccurate and so sometimes they don't even use us, preferring instead to use their local systems rather than the statewide system. We have information passed to downstream agencies before the identity is verified through fingerprints. Fingerprints are the only way to positively identify your suspect, but by the time the fingerprints catch up to the individual he/she may have been released from custody. That's an issue.

We have vocabulary problems that lead to poor matching rates. To the Repository, what we care about (as an example) is called the Process Control Number, PCN. To the local agencies PCN means Probable Cause Number. When we tell our entities to give us the PCN we're not talking in the same language. Similarly, when we say State Identification Number we're talking about the unique number the Repository uses to identify that person in criminal history. SID means SCOPE ID Number to the Las Vegas Metropolitan Police Department. Again, we're not talking in the same language.

We found there's a high level of manual intervention required and it's inefficient. I've got staff that do nothing all day except try to track down missing dispositions and it wastes a lot of resources. We know those dispositions exist in local systems because we've recently become aware of some 800,000 or so dispositions that we need to backfill. They're there; they're just not at the Repository.

Prosecutor involvement is critical but largely missing. That is not only a problem for Nevada, but nationwide - trying to get the prosecutor information submitted to the Repository. Then there's the issue of charge based, which is what the Repository needs. For every charge brought against an individual we want a disposition on what happened to that - was it dismissed, was it reduced, was it plead out, acquitted, etc. vs. prosecutors tending to look at case based methodologies.

There's no accounting to ensure movement of critical data between agencies, a mechanism to make sure the arrest reported by an entity gets to the prosecutor, to the court, to the Repository. There are no checks and balances to make sure that all occur.

What MTG recommended as a path forward was a new and integrated criminal justice system that is based on a series regional exchange models. They also recommended developing a strong statewide governance body to look at some of these gaps in the manual systems and gaps in the statutes to address as a state. The purpose of today's

meeting is I'm hoping that this body would like to take on that role of that governance of criminal history record information and recognizing the importance and far reaching implications that it has, not only for the justice community, but on the licensing and regulatory community, and on people's livelihoods.

What I'd like to hear today is for you, as users, to come to the table and just share with us the challenges that you're facing either in reporting to the Repository or in using the information that we provide to you and some recommendations that you have. If money and time and resources weren't an issue what would you do and maybe to come up with some realistic recommendations going forward that we can take to tackle the issue of incomplete information. I would like though, since AOC was a part of this disposition study in 2011, would you like to add anything or did I miss anything as far as the overview? Scott or Laura?

*Scott Sosebee:*

I thought you summarized excellently.

*Julie Butler:*

Alright, thank you. At this point I would like to invite members of the audience forward to go ahead and share with us what you're seeing out there as a practitioner or user of criminal history record information. If you could come up to the table 2 at a time and we will flip flop between Carson City and Las Vegas. With that, please come forward. Please remember to push the microphone button and introduce yourself.

#### **Agenda Item 4 – Criminal Justice Agency Presentations (for discussion)**

- a. Barriers encountered
- b. How improvement would benefit the agency
- c. Recommendations
- d. Impact of incomplete/inaccurate records

*Dwayne Deal:*

Good morning, Madam Chairman. I'm Dwayne Deal Vendor Management Administrator for the Department of Corrections.

*Shelly Williams:*

Good morning, my name is Shelly Williams. I am here speaking on behalf of Nevada Department of Corrections. Thank you for inviting us today. I will try my best to answer any questions you may have. I understand that we're here to give input on question number 4 of today's agenda. Going over Item A regarding barriers encountered for reporting information to the Repository. The Nevada Department of Corrections does not foresee any barriers for reporting and entering criminal history dispositions to the Repository on discharged or expired inmate sentences. The NDOC agrees with the Advisory Committee recommendations with regard to the entry of criminal history dispositions. Although our department may not see any barriers with regards to entering criminal history, we have experienced barriers in the area of classification in regard to incomplete dispositions on the pre-sentence investigation reports. This may be better addressed in section D with the impact in incomplete, inaccurate records, but right now these barriers result in the NDOC

caseworkers having to do more casework - in order to track down dispositions and arrest reports prior to being able to recommend inmates for minimum or community custody placement.

For section B of the question form, how improvement would benefit our agency. The NDOC would be able to properly and effectively classify inmates in a timely manner. This would ultimately improve inmate safety, staff safety, and public safety.

For Item C, recommendations, the Nevada Department of Corrections agrees with the importance of effectively communicating information to the Repository. The NDOC would be open to the recommendation that our department enter dispositions on discharged and expired prison sentences. This is an item that would be presented at our next prison board meeting. With approval from the Director and the Nevada Prison Board, the department will draft a procedure for the entry of criminal history dispositions on inmate sentences that have discharged or expired from the Nevada Department of Corrections. This would be accomplished by an authorized NDOC staff member that is certified to enter criminal history dispositions into NCJIS. The department would like to ask if Public Safety, DPS, could provide training to our NDOC TAC and ATAC on proper method of criminal history dispositions into NCJIS to ensure the records would be entered accurately, completely, and in a timely fashion or manner.

Section D – the impact of incomplete or inaccurate records. The impact upon the Nevada Department of Corrections with regard to incomplete and inaccurate records may cause a display of improper classification of an inmate. Improper classification may result in devastating results that could affect the inmate, staff, and public safety. That's what we have for right now today.

*Julie Butler:*

Thank you very much.

*Shelly Williams:*

Do you have any questions for us?

*Jared Frost:*

For the record, this is Jared Frost from the Office of the Attorney General. Good morning Shelly. If I understand you correctly, this reporting of expired sentences would be happening in the future. Do you have any suggestions as far as what format or what type of format that information could be presented in? I'm not sure if you've received any direction from the Repository about that or some kind of form that would be of use to you.

*Shelly Williams:*

We have not discussed this yet but are looking forward to working with the Repository and trying to make any changes possible. We approve the recommendations for this and entering dispositions. We are open to working with the Repository on anything that is needed to complete this task. As for your questions, I'll be happy to contact Repository. Do you feel that maybe the AG's Office should be involved in this as well? Or is this something we can go ahead and work together on?

*Jared Frost:*

I want to ensure that your agency works with the Repository to develop a form or manner for the Repository as well to report this information. The Repository has developed a form that I think is called The Final Disposition Form and I'm not sure if that would be the right form for your agency to report that information. That may be something that even the Repository can look at going forward.

*Shelly Williams:*

We could definitely work with the Repository and we're open to any suggestions. We definitely want to work together on getting these dispositions entered.

*Jared Frost:*

Great, thank you.

*Julie Butler:*

Thank you, Shelly. Thank you, Dwayne. I'm really excited actually. I hadn't even considered having NDOC enter the dispositions at the point of discharge. That's a fantastic suggestion. My staff will be happy to reach out to you and provide the training that you've requested. I don't think we necessarily need to get the Attorney General's Office involved. I think our two agencies can work together and I would encourage that. Thank you very much.

*Shelly Williams:*

We definitely look forward to working together.

*Julie Butler:*

Thank you, Shelly. Thank you, Dwayne. Going down to Las Vegas, who do we have?

*Rebecca Garcia:* Good morning, my name is Rebecca Garcia. I'm the TAC with the Nevada State Gaming Control Board.

*Julie Butler:*

Welcome.

*Rebecca Garcia:*

Thank you. Good morning committee members. I'm here to speak from experience from user side. The Nevada Gaming Control Board is both a criminal justice agency as well as a regulatory and licensing agency. We do not generate disposition information; we do not enter disposition information into the system. We are on the user side. We use the information we find in the NCJIS system both as a direct query of the JLClient database as well as via fingerprint rap sheet returns that we receive – about 2,000 a month, for the registration of gaming employees under NRS 463.335 as well as for the licensing of owner/operators, key executives, and so forth through our investigations division.

Some of the barriers that we encounter in the enforcement division pertain to background investigations. We are afforded a period of 120 days per statute to complete a gaming employee's background investigation. We receive about 3,000 transactions per month which require an update background investigation. We utilize the information we find in NCJIS to make a determination on whether an individual is suitable for employment in a gaming capacity within the state of Nevada. So what happens when the disposition information is either missing or inaccurate or if the arrest data itself is missing or

inaccurate? We're hindered in making that determination. For our individual background investigators, they're then required to perform extra steps to obtain that information such as contacting the court or trying to obtain that information via other means, whereas if it were simply available in the system then that step will be avoided and they can move forward with their investigation rather than spending the extra time. I'm sure it's the case for many other agencies out there. We have a limited staff assigned to background investigations so we do have limited manpower. We have 2 full time background investigators and a supervising special agent in that unit. Like I say, it's 3,000 transactions per month – 3,000 applications per month that require a background investigation. Those do have to be completed and a determination made within 120 days.

Another issue that we run into regarding not only arrest data but also identifying data in the state Repository's records is that we hold the individual responsible for that data. Once we obtain it from the State we assume that it's correct. So if we have a situation where an individual says, "That wasn't me," or "this isn't accurate," or "that's not the correct charge," or "that's not the correct disposition," we essentially put that burden back on the individual to challenge that record with Department of Public Safety. That process proves cumbersome as well. Some of the people that we work with don't necessarily have the skills to navigate through complex state systems so we don't do that on the individual's behalf. We don't have the manpower to do so and it's really not the user agency's role, it's more the individual's role if there's an issue found in their criminal history. We provide individuals the forms when need be and advise them to contact the Department of Public Safety but we don't necessarily see a lot of success through that avenue. It proves difficult for the individual to do that.

We do criminal investigations as well. For our criminal investigations, having disposition information is important as well on the criminal investigation side. If that information we're missing, again, it requires additional research and additional manpower to hunt that information down. That's all I have. I don't really have anything by way of recommendations. Being that we're simply a user agency, a query agency, I would not necessarily have any recommendations but again just hoping to give you a little glimpse into the impact of inaccurate or incomplete records as they pertain to our role at the Gaming Control Board.

*Julie Butler:*

Thank you, Rebecca, very much for your testimony today. Committee members, do you have any questions of Rebecca. Ok, thank you again. I appreciate your testimony.

*Patty Peters:*

Hi, Julie. Patty Peters, Las Vegas Metro. I'll offer a few things up and then I'll let Kowan Connolly, Hillary Velado, and Lynne Cavalieri come up and add to that afterwards. As far as barriers that are encountered, just from talking with my people, a lot of time we'll send dispositions up and they just don't get entered for whatever reason. I don't know what those reasons are. They do go up from Metro. We get between 5,000 and 7,000 dispositions a month. That's an awful lot that we have to process. I can attest to the fact that we're sending up copies and then we're also having to fill out the ACD forms. It's kind of duplicate. All that information is on the copies but yet the ACD form also has to be filled out and sent up. It's time consuming. A recommendation, if we were to jump to that, would be to consider electronic reporting or being able to just enter that information directly into the system. The benefits to the agency, every second is precious to us. We're short of people just like every



agency, just like you guys are up at the State. The more time we can save the faster we can get this information in. The benefits for Rebecca and all the user agencies would be huge. We want what you guys want. We want all the disposition reporting to be in there, up there, and to be accurate. Having it come from multiple agencies I'm sure is very daunting at the very least. I know law enforcement sends them up but I can't attest to what goes on with the District Attorney's Office. I know there is some electronic reporting that does go on through some of the courts. It would be great to see that across the board, to have that opened up. Incomplete, inaccurate records are huge. If we don't have the data the impact is just phenomenal to the officer in the field, to the jails, to everybody associated with it. I think for me that's all I really wanted to throw out there. I can let the others get into some specifics about what they're encountering. With that I'm done.

*Julie Butler:*

Alright, thank you, Patty. Moving back up to Carson City we have Pam Del Porto from Department of Corrections.

*Pam Del Porto:*

Good morning Madam Chair and panel members. Thank you for the opportunity. I wanted to reiterate what was testified by the Gaming Control Board but also reinforce for the Department of Corrections and for other state and local agencies. We now have the compliance issue with PREA which is the Prison Rape Elimination Act. For PREA we need to do a background check of all staff, of vendors and contractors. We had run into issues where without the dispositions I have to assign an investigator to go out and manually get that information because if the contractor or vendor may have an issue related to possible allegation involving sex with an inmate or abuse of an inmate then we cannot allow them in. I just wanted to add that, not just for the human resources and normal investigations but also because of the federal mandate now. Thank you.

*Julie Butler:*

Thank you, Pam. Any questions? Thank you very much. Moving back down to Las Vegas.

*Kowan Connolly:*

Hello. Good morning. My name is Kowan Connolly and I am the pre-trial services supervisor and TAC for Las Vegas Municipal Court. I use to work for the North Las Vegas Police Department. I started in the court about 2 years ago so I have a different perspective on the law enforcement side and on the court side. I think we can all agree that dispositions are important for all of us. That is truly the final decision on what happened on a case. We all want dispositions to go up. Dispositions at the time of sentencing can change. I really wasn't aware of that. If the disposition, when closed...DUI can take 2 years before it closes, for example. That's just one barrier we have - when does it get sent up? Does it get sent up when there's the sentence from the judge or does it go up when it closes, which can take 2 years. Also the barriers that I see is there are varying business processes between law enforcement, prosecutors, and the court. It would be beneficial to have the NCJIS Technical Subcommittee be part of the disposition to determine the varying business processes that we have. That's truly what the problem is. The prosecuting attorney can amend, deny, or add a charge which causes problems with sending dispositions up to the State. We really need to know the business process of all the different agencies that are players to sending up dispositions. Also, currently the State only allows non-retainable fingerprint charges. We have an issue when we arrest somebody for a bench warrant, but it's a first time arrest we

can't send that up to the State because the State only wants first time probable cause. Those are the things I know the State's looking at to fix with the new NCJIS Repository changes. There are a lot of difficulties sending up summons or citations. If we have a citation for domestic battery, DUI we're not able to send that up unless there's a fingerprint. Those are the difficulties and the business processes we have to look at first. We all can agree we want dispositions sent up to the State but we want it sent up accurately. Thank you.

*Julie Butler:*

Thank you, Kowan. Committee, any questions for the panelist? Thank you very much. I would like to invite the person at the table with you to give her testimony.

*Hillary Velado:*

Good morning. Hillary Velado, Henderson Police Department - Records Administrator and TAC. I wanted to give you some specific barriers we run into when we have no dispositions available through NCJIS. Like several have reported before, background investigations for employees, vendors, and contractors that need to access our building unescorted. When we don't have the disposition available it takes a lot of time contacting each agency trying to get the final disposition on charges. When the disposition isn't available officers are unsure of which charges to charge for escalating charges, such as DUI. If there's several DUI's in the system but we don't have a disposition we're not sure if it should be DUI 1<sup>st</sup>, DUI 2<sup>nd</sup>, DUI 3<sup>rd</sup>, and so on. Additionally when we register convicted persons and sex offenders, final dispositions are needed to know which charges we register them for. My recommendation would be that everybody plays a part in the disposition, if it's a 'no charges filed' by the law enforcement we should be reporting that, if the prosecution denies or dismisses the case they should be reporting that, and then the courts should be reporting their final dispositions. I wasn't sure if today we'd have the opportunity to talk about the submission of actual arrest information and the issues we face with that.

*Julie Butler:*

Please do talk about that.

*Hillary Velado:*

Some historical information, in 2009, at least from my agency we use to submit fingerprints up to a specific server at the State and at that time there were no specific requirements for each field within the fingerprint submissions. When we booked somebody in a lot of time officers got use to putting 'N/A' in the middle name field. When we upgraded in '09 we were directed to a different server, correct me if I'm saying this wrong, to the Store & Forward. At that time there were formatting requirements for each individual field which we were not used to. A lot of our submissions were getting rejected every time we submitted because we were unfamiliar with that new requirement for each field. For example, if the officer put 'N/A' in the middle name field that fingerprint would reject. It took us a really long time to get that squared away. However, there's now a process where we are notified anytime we have an error, however, that notification is basically in code. Having to take the time to figure out if it says the error is in field 'T2' we then have to go to a different document, figure out what 'T2' is and do the research that way. I would recommend those error messages be in plain English, for lack of a better explanation. That's it.

*Julie Butler:*

Thank you, Hillary. I'm familiar with the issues that Henderson experienced when we did the rollout of the Store & Forward. The overall goal of that project was to actually reduce errors in the arrest data that was being submitted to the Repository. I think we do pretty good now at arrests. I'm not sure about the coding aspect. Not being a programmer myself I don't know if that would take yet another IT change to send that message back in plain English versus computer code. That is something that we can certainly take a look at. Any questions for Hillary? Thank you very much. Moving back to Carson City.

*Guinevere Hobdy:*

Good morning Madam Chair and committee members. Thank you. My name is Guinevere Hobdy. I'm with the Department of Public Safety, General Services Division. I'm responsible for the criminal records at the Repository. I posted a slide up to emphasize, if you will, the criminal records that we have in house and the missing dispositions. Total arrests to date are 1,822,223 records. The arrests without dispositions are now at 1,100,945. That's rather significant. Just to let you know, NRS 179A.075.2 mandates 'Each agency of criminal justice and any other agency dealing with crime or delinquency of children shall, collect and maintain records, reports and compilations of statistical data required by the Department' - the Department being us. This includes; Fingerprints, Complaints Filed, Final Dispositions or Judgments of Conviction, Uniform Crime Reporting, NICS Index, Court Order Seals, ACD, which are Add, Change, Delete forms. In addition we are federally mandated to have dispositions posted within 120 days to FBI. So we're mandated as well.

The other slide I'd like to review is the FBI statistics that I recently gathered from one of their reports, their criminal justice information system summaries for the year. NCIC, which is the National Criminal Information Center, in 2012 averaged 8.7M transactions per day. What that means is there were, nationwide, 8.7M inquiry transactions on criminal history by law enforcement agencies, prosecutors, courts, anybody who has access to that information. The average response time is really quick so it's really a great benefit for anybody who's out in the field whose dispatch is querying that information. It's less than a second. It's really their lifeline. If they don't have that information, if they don't have that complete criminal history they don't have a lifeline if they're out in the field.

Barriers that we're currently running into are that not all criminal just agencies report dispositions to us, as we've been talking about. Complaints filed by the prosecutors do not address the denied or no charges filed on the charges originated by the arresting agency. We have a lack of standardized forms being used. And largely it's a manual process of receiving and data entry on our part. Quite simply put, we can only enter what we receive. If we don't receive it we're not entering it.

Areas of improvement that would benefit our agency – we would meet our federal mandate of entering dispositions within 120 days, we wouldn't have a backlog which would be a cost savings and alleviate hiring temporary staff which we've done for the past 5 years on and off. In addition, it would be a reliable source for units within our division. We have the Sex Offender Registry; we have our Fingerprint Support Unit, and our Brady Unit. We would reduce the amount of inquiries from other state agencies. We get a lot of state agencies from other states asking for complete disposition information because they're in the process of reviewing a case for somebody they're trying to prosecute, for example, or employ or license. I believe that the agencies that spoke earlier touched on the importance of accurate

of criminal history so I'm not going to touch too much on that. I actually was excited to hear from them and I learned some new things and didn't realize Gaming Control Board was impacted so much as well as DOC with our information so that's good to know.

Federally, it impacts NCIC, which I just talked about up here. If it was complete and accurate we would be reporting up there to those 8.7M transactions a day accurate information. The RAP Back reporting would be accurate, complete, and reliable. The FBI is gearing up for a RAP Back program that hasn't launched yet. They are in a pilot phase. They need this information to be accurate. The RAP Back program will only be as successful as the information provided. So again if it's incomplete it's not going to be a reliable RAP Back program for the federal government.

RISC, which is a rapid identity for high risk wanted criminals, that's a program that's available to law enforcement agencies. Again it's somebody out in the field who can, with a thumbprint, get an instant report to see if it's a wanted criminal. The pilot program through this has been fantastic as far as reporting goes. They've got people who have been wanted in several different states for heinous crimes and been able to take them into custody.

How it impacts the public – identity theft. If we can improve our criminal records then we reduce the amount of identity theft out there. Julie Ornellas, who's in the Fingerprint Support Unit, will touch on employment and licensing and eligibility and go into more detail about that. It also impacts emergency child placement. It impacts CCW permitting, Brady determinations which Liz Rasberry will touch on how it impacts her unit.

Currently the recommendations that I would like to suggest to the committee is that we develop policies and procedures for reporting to the State. That would double with compliance and auditing of criminal justice agencies based on policies and procedures. More specific detailed language in NRS 179A.075 to include, for example, requirement of NOC's to be on all charging documents and/or timeliness of reporting. If we could put a mandate on how and when you should report, standardized forms, a less manual process of disposition data entry to be addressed in the criminal history modernization. We hope it will be addressed in the criminal history modernization.

I want to address the timeliness issue brought up by Las Vegas Metro of not reporting dispositions that are being sent. We have in house over 800,000 dispositions. In order to get those data entered we are looking to add additional staff, which we're going forward with the State in April. It would take 10 staff members 4 years to enter those 800,000 dispositions, to give you an idea of how long that takes. They average about 12/hour, mostly because there's a lot of validation and research that goes behind those because we're not getting dispositions with the information that we need, i.e. - the PCN that Julie Butler was referring to.

Finally, impact of incomplete, inaccurate records – I have to say it's safety and liability. Law enforcement agencies are impacted greatly by this. Other states are impacted by this as well. I can touch on a couple of examples. I can tell you that there have been cases in California and Michigan brought against the Department of Justice and the State for inaccurate or incomplete criminal information as far as employment goes. In both cases they were won by the civil lawsuit. I'd like to see us as a State be proactive and not reactive

to one of those situations and I don't want to be another California or Michigan. On that note, I'd like to turn it over to Julie so she can discuss employment and licensing.

*Julie Ornellas:*

Hi, good morning Madam Chair and members of the committee. My name is Julie Ornellas and I'm from Department of Public Safety, General Services Division. I'm responsible for the Fingerprint Support Unit on the civil side for processing the fingerprint submissions for employment and licensing. I would like to take this opportunity to provide you with information relating to the impact that missing dispositions have on applicants, employers, and regulatory bodies. I would like to read to you the mission statement for the General Services Division. The mission of the Records Bureau is to provide accurate, timely, and appropriate public safety information to the Divisions within the Department, to the criminal justice community, and to the citizens of Nevada.

It's very difficult for us to meet our mission statement as far as the accurate and timely information with the lack of dispositions that we currently face. As Guinevere presented, approximately 50% of the total arrests are missing disposition information. This has a huge impact on employment and licensing within the state. Employment and licensing within the state of Nevada is highly regulated. As compared to other states that may have only 4 or 5 statutes, we currently have a total of 100 Nevada Revised Statutes with multiple regulatory bodies that authorize fingerprint based background checks for employment and licensing in addition to 6 federal programs that we have adopted at the state which provide additional authorization in the absence of state statutes.

We have about 1,700 account holders currently for civil purposes, so that's for employment and licensing, includes the CCW's, schools, nursing, various types. The majority of the statutes indicate specific disqualifying offenses that are based on convictions for various misdemeanor, gross misdemeanors and felonies. It's very important that we understand that it's not just felony dispositions that we need. There are some very high volume submissions that actually have disqualifiers based on misdemeanors. A lot of those are missing information. The disposition information just isn't sent up. I don't know if it's thought that maybe that's not a disqualifier but it truly is on some of these main occupations within the state.

Of the 100 Nevada Revised Statutes, there are 6 statutes that mandate the Department of Public Safety complete employment or licensing suitability determinations. Just to give you some numbers, the Fingerprint Support Unit - Civil received 177,000 fingerprint submissions in FY 2013 for employment and licensing. Approximately 30,000 of that 177,000 fingerprint submissions in FY 2013 were under authorities requiring the Department of Public Safety to complete determinations. Of those 30,000 submissions requiring a determination approximately 30% were applicants with criminal history information. That totals about 9,000 applicants. When we receive those fingerprint submissions and we do a determination, our process is we make a determination when we compare an applicant's offense(s) to a list of disqualifying convictions within the specific statute. Then we return either an eligible result, a not eligible result, or an undetermined result for employment or licensing. Eligible means there are no disqualifying convictions. That doesn't necessarily mean they don't have criminal history. That just means the offenses are not disqualifying compared to what the statute indicates. Not Eligible means there are disqualifying convictions that would prohibit the individual from being employed or licensed.

Undetermined means that there are potential disqualifying offenses however we are unable to make a determination due to missing or inaccurate information.

We have a big responsibility to the employment and licensing community that we are reporting, like I said in our mission statement, accurate and timely because it affects them being able to get a job or get a license to work in a hospital or teach in a school, those types of occupations. The undetermined status for an applicant is a direct result of missing disposition information. The burden of employment and licensing suitability falls upon the employer or regulatory body for the remaining 143,000 submissions. They also struggle to make determinations due to missing disposition information.

As Rebecca Garcia had already testified, Gaming is one of our key contributors to the volume of fingerprint submissions that we receive annually. They do struggle. We get the phone calls from the individuals trying to get information on how to get their dispositions, how to obtain them from the courts. It's a struggle not only for us, DPS, for making a determination but also for the rest of the regulatory community. Like she said, they don't have the staffing to obtain the information themselves so it's put on the applicant. They don't have the knowledge or the resources. We give them options but they just don't necessarily know how to get the information and thus they're left without a job or licensure.

I'd like to give you some statistical numbers just already from this fiscal year, July through January. Department of Public Safety has received 14,510 fingerprint submissions requiring determination just in this first portion of the fiscal year. Of those 14,510 submissions we issued 301 state undetermined results due to the missing disposition information. While this seems small, it represents 2% of the total volume of determined submissions received. However, if you take that 2% and apply it to the 177,000 that we receive in a year, if those were all missing those dispositions it would be 3,540 applicants that are not able to work or obtain a license due to the missing disposition information.

In addition to that our state statute, NRS 179A.150.4a, mandates that the Director of the Department offer the ability to individuals to challenge the accuracy or sufficiency of the information relating to the records of the criminal history by the person who is the subject of the information. We offer suggestions, we process challenges, we try to help the applicants as much as we can and it is a big task for everybody. We have received 215 challenge request forms already this fiscal year due to the missing dispositions. During the challenge process DPS provides the applicant with their criminal history information and we specifically indicate what contributed to the undetermined result. We try to give them a starting point, get them going in the right direction, and try to give them some suggestions on possibly what courts. You've got to remember that some of these individuals' arrests are many, many years old. They don't even remember where they need to go or where it started. We try to provide that guidance as much as we can but it becomes very difficult to touch everybody and try to help everybody. We continue to work with the applicant until all missing disposition information is obtained and posted, if available.

When the challenge process is complete DPS will issue a re-determination. If we had the information in the front end we wouldn't do duplicative work but unfortunately we're trying to help these individuals get to where they need to go with employment or licensing. Or we uphold the Undetermined if the dispositions just can't be obtained. Depending on the age of

the offense some of the dispositions are no longer available due in part to the court retention schedules which leave the applicant unemployed or unlicensed.

The benefits if we were to resolve this issue with the missing disposition information, the initial determinations would be completed in a timely manner, the remaining account holders that are left to make their own determinations would be able to offer positions or licensing to their applicants in a timely fashion, it would reduce our request for challenges, we wouldn't have to handhold that process with the applicants in the absence of their disposition information.

Also, the state of Nevada's unemployment rate as of December 2013 was 8.8%. With employment and licensing being heavily regulated in this state the lack of disposition information directly contributes to an individual's employment and licensure. We have a direct effect on the unemployment rate due to the lack of information that is needed for these regulatory bodies to offer that position or licensing. A lot of times with these individuals, it may have been dismissed or denied as Hillary [Velado] had already testified, or it may have been amended down to something that is no longer a disqualifier. However, that first offense or first contact that we all have had and what we see on paper and what the regulatory bodies see it appears to them that it is a disqualifier and they're not even interested in going forward with that individual when it may not even be valid. While we have a requirement in law that we offer a challenge process and so does the Code of Federal Regulations on the FBI side, they also require that, not everybody is aware of that or offering that. That leaves individuals without those options.

As far as recommendations I agree with what Guinevere [Hobdy] indicated. I think specific language in the law to include requirements for complete and accurate reporting of criminal history information including final dispositions by all criminal justice agencies to provide to the Records Bureau, policies and procedures outlining what is needed so we can provide the training and guidance. Also on the compliance and auditing side, use that as also a training tool and a compliance tool to ensure that the laws, policies and procedures are being adhered to. That's pretty much what I wanted to share with you on the employment and licensing side and how it impacts us.

*Julie Butler:*

Thank you, Julie. I do have a couple of questions. You hit on it and I do remember this bill coming forward a couple of sessions ago. The courts had put forth a bill to reduce their retention schedules from I don't know how many years it was to somewhere in the neighborhood of 5 - 7 years. I wondered if you could touch on the impact that you see on that particularly, the disconnect between us in the Repository having to keep those records for the life of the person or 100 years vs. the courts only keeping them for 7 years. What impact are you seeing on employment and licensing with that change?

*Julie Ornellas:*

We do receive phone calls from applicants indicating that due to the short retention time frames they're no longer able to get those court records that would either have cleared them or at least amended it down to something that's not disqualifying. Unfortunately they're left without options. They're not able to get a job or get their licensure. We have to guide them to possibly seal their record. They're left with only that option. Money becomes an obstacle for those individuals. They're not able to really afford to petition the court and go through the

court process and the fees to try to get their record sealed. Again they're left without a lot of options. That reduction in time has a huge impact because, like I said, as we get more regulated as a state and more requirements are placed on regulatory bodies to look at different convictions, a lot of them are many years old and the information is no longer available. It puts a huge burden on the whole community and the whole state of Nevada.

*Patty Peters:*

Julie, this is Patty Peters. Can I ask a question? Shouldn't the court disposition retention match the crime report retention? I meant that's what I'm hearing.

*Julie Butler:*

Ideally, yes. But there are different branches of government and they have different needs. I think there's a disconnect here and I don't know if this body is the appropriate forum to address that, but I did want to bring it to light on the record. I do remember testifying on this bill and indicating that we have this concern that there was going to be a discrepancy between the length of time we keep your criminal arrest record and the length of time the court keeps the disposition. John, I don't know if you want to address this. Did you bring this bill forward on behalf of the courts?

*John McCormick:*

Yes and my recollection is that we're dealing primarily with misdemeanor traffic retention. In looking at the definition of NRS 179A, I don't necessarily know that it's calling for misdemeanor traffic retention as part of the criminal history. I think we have a disconnect there in terminology too beyond what we're retaining vs. what we think we're retaining. Does that make sense? We're dealing primarily with Justice and Municipal Court misdemeanor traffic. The longest that you can ever enhance one is 7 years so if they're not in criminal history and we only need them for 7 years enhancement purposes there's a disconnect there on why we would need to save those beyond that 7 year period. A category like felonies, everybody gets that those are a little more serious and probably should be retained for a while.

*Julie Butler:*

Very good. Actually, I don't know that you can address this, Guinevere. I did have a question. Are you seeing more and more agencies, particularly some law enforcement agencies, not reporting all severities to you, and what impact is that having on dispositions?

*Guinevere Hobdy:*

This is Guinevere Hobdy with General Services Division. Actually, yes. I've spoken to a couple of agencies in the south and a couple of agencies in the north. Due to the volume or the lack of their facilities, and they could probably expand more on this than me, they're not reporting some. They're citing and releasing, if you will, on some misdemeanor crimes because their facilities are overflowing or to capacity. So that is true. Unfortunately some of those misdemeanor crimes have disqualifiers whether it's on the Brady side, or whether it's on the licensing and employment side, or CCW permitting. It's impacting those programs negatively.

*Patty Peters:*

Julie, again this is Patty Peters. I just want to respond on a few things. Law enforcement, we don't send up traffic to the state.



*Julie Butler:*

Right and we don't want it. Thank you.

*Patty Peters:*

One of the questions a couple of us have is if the State keeps why does the court need to keep it too? If you've got it up there why does the agency need to also maintain it? Dispositions I'm talking about.

*Julie Butler:*

I would agree with that if we got them. Right now we need to get to a state where we've got it, and then we can look at a retention schedule globally. I agree that's a lot of storage space and a lot of redundancy, if we're actually getting the records that we're supposed to get. The issue we're running into is that we aren't getting the records that we're supposed to get and so the only place to get them is the agency that originated the record. If those aren't there because of the local agency retention schedules it really places the applicant or regulatory agency in a difficult position of keeping that person in limbo.

*Patty Peters:*

I know Guinevere [Hobdy] attested to 1.1M dispositions that weren't entered and I guess I'd like to know how many of those were sent up to the State and you guys just didn't have the staff to get those in versus how many haven't been sent up to the State. I think heard 800,000. I'm not sure. Do you guys have 800,000 that haven't been entered?

*Guinevere Hobdy:*

Hi Patty, this is Guinevere. You are correct. Currently in house we have 799,475 records. Although out of that we have to validate them because a large majority of them may be traffic or arrests we currently don't have on file, it still doesn't address a large volume that's missing. There's quite a big number. That's why we're asking for additional staff members to help us with the data entry of it.

*Patty Peters:*

I can tell you on our end, I know we touched a little bit about the local databases. Obviously you guys know we have SCOPE down here. We enter a lot of these dispositions into SCOPE simply because we've sent them up to the State; you guys haven't been able to enter them because you don't have the staff to get them in there. We have to be able to provide those to our law enforcement. I can tell you the Las Vegas Municipal Court is entering Battery/Domestic Violence and DUI dispositions into SCOPE because they're not being entered at the State level. There is a way for agencies to get to the data. Unfortunately there's just not that one place, which would be the State, to get that data.

Ultimately, I would love to see the local systems go away and we have one place to go and that would be the State. I have no problems with one day just going we don't need SCOPE anymore because you guys will have everything we need. I understand the limitations. I know its manpower.

I've chaired the Southern Nevada Technical Subcommittee since '96 and we've been a huge part of everything that's gone on with the State. We have all the criminal justice communities that come down south to the Southern Technical and also up north to the

Northern Technical. That includes courts, District Attorneys, law enforcement, everybody associated with criminal justice. In the past, we have the history – we've been here since the 80's when it all started, we asked the State to give us the functionality through JLink to enter dispositions into the state Repository, not just into SCOPE but that never came about. Maybe this is the venue, the time where it can happen. You've got a huge group of people that are there to provide information. Some of them couldn't be here today. I know Julie [Butler] has committed to including the Technical Subcommittees and Steering Committees in all of this decision making and reaching out to us to get that information. We'll most certainly provide more coming from Justice Courts, Municipal Courts, District Attorney's Offices, Gaming, and the jails. We have these limitations at all levels. I know Julie had mentioned stuff about the NOC's and I can tell you that was an issue down the road but we've all gone to great lengths to connect those NOC's to make sure you've got those NOC's up there. I'd be interested to know what agencies aren't sending you the data because I don't feel that it's across the board. I don't feel that everybody's not complying.

*Guinevere Hobdy:*

Patty, this is Guinevere again. I want to step back a little bit and help you understand. Recently AOC and DPS collaborated on an analysis on what dispositions by what courts we're being received. Out of the 78 courts in the State of Nevada only 29 were reporting to us consistently and timely. AOC did a fantastic job reaching out to their courts that they support and that number has increased to 49 I think to date. My numbers might be a little off there. The agency is going to go forward with reaching out to the remaining courts not partnered with AOC to get them to participate with reporting. One of the courts you mentioned, Las Vegas Municipal Court, so you know, they are 665,000 of the records that we recently received. They didn't report to us for almost 20 years. I've been working with Karla at that particular court and she came to the realization that although they were pushing that information, DUI and Domestic Battery dispositions to Metro they were not forwarding that information to us. That's why you don't see a lot of information or dispositions in reference to your area, Clark County, for the Municipal Court because we just recently received them about 2 months ago.

*Kowan Connolly:*

Hi Guinevere, this is Kowan. Yes, it was Carol that you we're working with. When I started with Las Vegas Municipal Court as a TAC the first thing I told them was you've got to send dispositions to the State. They weren't aware of it. I think the issue is, and I think you touched on it a little bit, is policies and procedures. The State needs policies and procedures. It's not that the court doesn't want to contribute, they didn't understand. As soon I told them that Carol created an interface or tried to do an interface to go ahead and send it up or just to push it out there. We understand the importance of it. We want the functionality and I talked to you a little bit about this, to be able to enter directly into the Repository as the court. We're willing to help you guys out. Dispositions are the most important thing. We all agree on that. Its how do we get it up to the State? We want to send it up to you. We understand the misdemeanors are just as important as felonies, I agree with you on that. We're willing to assist. Those 665,000 went up because they finally were aware that they were supposed to send it up. They want to help. They're looking at other ways of trying to interface, they're still looking at ways to do it not manually but use technology. That's our number 1 priority in Las Vegas Municipal Court. I've asked all the staffing I have in my unit to try to enter B/DV (Battery/Domestic Violence) and DUI's, which are the most important misdemeanors into the SCOPE system. We're willing to do that for

the State probably in lieu of entering into SCOPE because we don't have that much staffing. We're willing to do that if you guys give us the ability. Thank you.

*Guinevere Hobdy:*

Kowan, this is Guinevere and I just want to say thank you. Carol's efforts have been fantastic. She's going forward right now and we're in the middle of testing with AOC as far as the e-dispo program, so the electronic disposition processing that Julie [Butler] touched on from the 2011 study, or excuse me, it was 2004 when AOC and DPS partnered for the e-disposition program. Although we haven't seen much success in it we were able to work with Las Vegas Municipal Court to get them participating in that program. We hope the testing is going to go well and we'll be able to start receiving those electronically from your court. In addition, North Las Vegas Municipal Court is now looking into the e-dispo program as well. So thanks to Carol and her efforts and your efforts down there it's making a definite improvement to our criminal history and I appreciate that.

*Julie Butler:*

Thank you. Did you want to say anything else, Julie?

*Julie Ornellas:*

Yes, Julie Ornellas with the Department of Public Services, General Services. I just want to relate to you one of the statutes we have to do determinations on. It's for NRS 449, for medical facilities and other related entities which are like long term health care or swing beds. It's another one of our high volume submitters. I just want to touch on a couple of misdemeanor crimes that are really important that we have to use to make our determination. One of the misdemeanor crimes is prostitution, solicitation, lewdness or any other sexually related crime that is punished as a misdemeanor within the preceding 7 years. So if the individual has even a misdemeanor related to any of these it's a 7 year disqualifier for employment or licensing for that occupation. The 2<sup>nd</sup> one is a crime involving domestic violence that is punished as a misdemeanor. I think Hillary touched on citations regarding domestic violence. If those aren't making it up to us we're putting these individuals in harm's ways if we clear somebody based on a determination because we don't have that, and they actually had an offense relating to one of these misdemeanor categories. Again for Chapter 449 it's a 7 year disqualifier. This is one of the most restrictive statutes that we have at the State. They have lifetime disqualifiers also. I think most or all of those are based on felonies. I just wanted to let you know the importance of even misdemeanor information getting to us. It would really help us protect these individuals when we're making these determinations. That's all I had unless anybody had any other questions.

*Senator Justin Jones:*

I have to say that since I don't practice in your world these numbers today are rather stunning – 1.1M missing records; 800,000 records that aren't being processed because there isn't the staff in your office; domestic violence records that aren't being transmitted; people who can't get jobs as a result of lack of staffing. How long have we known about these issues? Was there ever a time when DPS was properly staffed?

*Julie Butler:*

Senator, thank you for your question. We've known about these issues for a very long time. Like all state agencies we have been a victim of flat budgets and the economy and trying to

balance being responsible with our fees and staffing. With that said, every time throughout every Legislative session there are a myriad of bills floated that would require a background check for various new regulatory purposes. Since I've been tracking this in 2007 there are a number of statutes floated every session that do this. In the last session we saw notaries and process servers, we saw at the transportation board for cab drivers or motor carrier type drivers. We've had 11 new statutes this year. Last year we had probably the same amount. The year before maybe 10 or 11 new statutes that required an occupational license and fingerprint submittal. We've seen since 2009 a 32% increase in applicant submissions without a corresponding increase in staff to process those.

At the same time we have known for a long time that our records are not complete. We've worked in very close partnership with the Administrative Office of the Courts to try to tackle these issues. One of the things that is ongoing right now is an independent audit of the records in the Repository to validate what we've been seeing for years but to put an independent statistical number to exactly how complete and accurate are the records in the Repository. We're hoping to use that information in session to again shine a spotlight on this issue. I don't think we've been ignoring it but at the same time with the state spending situation and the sweep of our reserves – the Legislature diverted \$5M of our reserves in the special sessions in 2008 and 2009 or 2009 and 2010, one of those fiscal years, to offset shortfalls in the General Fund. So funding we could have used to address these issues was diverted to higher priority needs. We've been trying to do the best we can with the resources we've been authorized to have.

*Senator Justin Jones:*

I just want to make sure I understand the net effect is people aren't able to get jobs or people are getting jobs and they may be domestic violence perpetrators, they may be criminals, or what we have down here in Clark County School District we have sex offenders working in our schools as a result of inaccurate background checks. That's the net effect of this.

*Julie Butler:*

That's correct.

*Senator Justin Jones:*

That's wrong.

*Julie Butler:*

And people that get firearms. As you know, misdemeanor crimes of domestic violence are a lifetime prohibitor for Brady background checks and yet if those aren't reported that is another disqualifier. The implications of this are huge and that's why we're trying to take this approach of what can we do with the resources we have. Is it going to take statute changes, policies and procedures, what is it? I get the sense that all of you here today want to help and be part of the solution and I'm very thankful for that. It's a point of figuring out where we go from here.

*Senator Justin Jones:*

I understand your concern with adding additional burden on your agency in terms of new NRS provisions requiring background checks. I've only been around one session but the bills you mentioned all had fees associated with them. I'm missing why, if for example we

pass a requirement for background check for a notary which includes a fee provision, why is that money not going in part to your agency in order to deal with the additional burden.

*Julie Butler:*

Senator, the money does come to our agency, we do collect it. It's very difficult for us, when we're crafting the fiscal notes for these bills to estimate the impact of a single occupational license on the overall burden of the Repository. Many times when you talk to the sponsors of these bills and the agency that regulates this industry and we'll ask them how many background checks do you anticipate this will create? They say we really don't know. The approach we took in the 2013 session and the 2011 session was that this will have an impact but we can't estimate it and we reserve the right to come back to Interim Finance Committee in between sessions if we reach a point of critical mass and we're there.

*Senator Justin Jones:*

Yes, we had those discussions in the back during session. Thank you.

*Patty Peters:*

Julie, if I could make a statement. This is Patty Peters with Las Vegas Metro. I just wanted to clarify that with Las Vegas Municipal Court it wasn't that those dispositions weren't going any place forever. They were reporting those to Metro, Metro was putting those into SCOPE and ultimately sending those up to the state. Now Las Vegas Municipal Court is doing them electronically so no one should think that they didn't do anything for 30 years.

*Senator Justin Jones:*

I appreciate all that you're doing to try and do the right thing. Obviously getting them into SCOPE helps law enforcement here in Clark County but doesn't really help anybody else.

*Patty Peters:*

We've got 90 agencies that access it statewide but it costs to get into SCOPE whereas the State system doesn't. That certainly does impact everybody.

*John McCormick:*

For the record this is John McCormick. Aside from the fact that we had some confusion over misdemeanors and misdemeanor retentions as well as the statutory definitions of what constitutes a record of criminal history, for example, when Guinevere said they were citing and releasing, there's some weirdness in NRS 179A.070 on that. I also think that as we talk about this and certainly your agency has been under-resourced, I think that extends more broadly to the entire criminal justice community. For example, the courts put the money up front for the frontline staff to handle the customers coming into the courts, etc. and they've suffered the budget cuts. Where can you put the resources on the back end to do manual submissions or electronic exchanges? You have all that issue and I think law enforcement, DA's, everybody encounters those same resource allocation questions. Whether they're from the State or county, everybody's taking hits. I think systemically we face issues beyond just those faced by Records and Technology.

*Julie Butler:*

Well said and I would 100% agree with that statement. I think it's statewide, systemic wide, all aspects of the system. Okay, Liz Rasberry from General Services.

*Elizabeth Rasberry:*

Good morning Madam Chair and members of the committee. My name is Elizabeth Rasberry and I am one of the supervisors of the Point of Sale Firearms Program. I am here today to present the effects that missing dispositions have on our ability to make proper determinations in my unit. The Point-of-Sale Firearms Program is commonly known as the Brady Unit which conducts criminal history background checks on individuals wishing to purchase or redeem firearms through a Federal Firearms Licensed dealer known as an FFL gun dealer in the State of Nevada. The Brady Unit also acts as the Point of Contact (POC) for all other states including the Federal Bureau of Investigation's (FBI) National Instant Background Check System. The Point of Contact conducts further research on a person's Nevada criminal history that is incomplete and the person is trying to purchase or redeem a firearm in another state. There are 10 federal and 2 state prohibitors for people purchasing firearms. The purpose of conducting a NICS background check is to make sure that a person with one of these prohibitors does not receive a firearm. If a person is purchasing a firearm in Nevada and the individual has criminal history that could be prohibiting the individual is placed in a delay status. The Brady staff has 3 business days to try to get the information needed to determine if that person is prohibited from owning or possessing firearms. This is not only for Nevada arrests but it applies to all arrests from all over the United States and U.S. Territories that could be prohibiting.

The staff will send requests to courts, arresting agencies, district attorneys, different military agencies and more for the needed information. One of the biggest obstacles we have in determining if a person is prohibited is not getting all of our required information by the time our decision has to be made. This is due to several different reasons. It could be that the State record does not have a disposition, the courts or law enforcement agencies do not get back to us within the time frame allowed, or courts or law enforcement agencies no longer having the information due to their retention period, or all the charges are not addressed within the dispositions. If the dispositions or incident reports are not received within the 3 business days the delayed individual will be placed in an unresolved status. This is because we did not receive the information back that we requested. So we cannot approve or deny the individual. Once a gun dealer is given an unresolved status they need to wait until the following day, and they can legally release that firearm to the potentially prohibited person. Some FFLs will release the firearms to an unresolved individual and some will not depending on what their store policy is.

We do see patterns of individuals going back to the same store that releases firearms on a regular basis to where the individual has bought several firearms. Our unit has one position to work on the unresolved cases for 90 days. If the information to resolve the prohibiting arrest is not received within those 90 days all paperwork is shredded per federal regulations at that time. Once the paperwork is shredded and the person is purchasing or redeeming another firearm the research starts from the beginning and the requests are sent out once again. Throughout the calendar year of 2013 we had approximately 2,470 unresolved cases. Of those cases, 126 were changed from unresolved to deny. This is 5.10 % of the unresolved cases went to deny. That means there are approximately 126 individuals that received firearms and are prohibited from having them.

Of the 2,470 unresolved cases 1,835 of them were never solved. They remained unresolved at the 90 day mark and had to be destroyed. If you take 5% of the 1,835 there is a potential that there are an additional 92 other prohibited people in Nevada that have

firearms. From past experience the majority of the unresolved cases are missing the disposition information.

As the Point of Contact we received 1,132 requests for the calendar year 2013, from other states to retrieve missing information from Nevada's criminal history records. This means that at least 1,132 people with incomplete Nevada records were trying to purchase or redeem their firearms in other states. This could have the potential of another 1,132 more people with firearms that could be prohibited. This number does not include agencies that needed information and went directly to the courts, arresting agencies and district attorneys themselves to retrieve that information. Our recommendation is to possibly create a bill draft request to change the retention period and the submission period of the courts. By doing this the courts will be able to send their dispositions to the Repository in a timely manner to get the State record updated. As you can see not having the dispositions makes it so we can not make the proper determinations where firearms are concerned. With incomplete Nevada criminal history records we are potentially giving firearms to prohibited people. This is endangering the public and our officers out on the street. Are there any questions?

*Julie Butler:*

Thank you, Liz. Committee members, are there any questions? Hearing none. Let's move down to Las Vegas again. Patty, did you have additional comments or is there anybody else there from Las Vegas that would like to put anything on the record?

*Patty Peters:*

No I think we're good for now. I'll probably have some after the fact though.

*Julie Butler:*

Then moving back to Carson City. I would like to invite more comments. Good morning, Robin.

*Robin Sweet:*

Good morning, Julie. Committee members, thank you. I'm going to speak to you in high level generalities probably and then I do have a court administrator here if we have questions that maybe she can answer. Some of the questions that have asked today already she may be able to answer or offer additional information. I want to give you a little bit of background about the judicial branch first. I'm sorry, my name is Robin Sweet. I'm the State Court Administrator and the Director of the Administrative Office of the Courts.

Let me give you a little background about the judicial branch. Nevada has 10 Judicial Districts with 76 Trial Courts that are overseen by 171 judges with day to day processing of case files that are handled by a few thousand court staff. These courts are on at least 7 different case management systems. Last summer and fall the AOC, at the direction of the Chief Justice, sent all courts a reminder regarding the reporting requirements for mental health and criminal disposition information. Responses were required from each of the courts regarding this reporting. We believe we have almost 100% compliance. I say almost because we know there are a couple courts that are still working on it. During that time we were also in communication with DPS staff regarding the reporting requirements and regarding the compliance. What follows are some of the challenges and barriers we came to realize during this effort. Some of them we knew previously but didn't realize the degree to which the challenges affected the reporting legitimacy.

There are no standard reporting requirements. By that I mean that there was no prescribed form or list of data elements required for the courts to ensure accurate reporting. There were forms we found out about later that had not been shared with all the courts.

There is no timeframe for reporting. There is no legally mandated “it has to be done in x hours, x days.” The mental health reporting form was originally disseminated and we had helped with that. However, when it was updated that version was not distributed widely.

The feedback from DPS is inconsistent and unreliable. The first report from DPS contained courts that had been closed for many years and did not have all the current courts included. Additionally, because they must manually prepare the list of courts in compliance, the list did not include courts that only report once a week, every other week, or maybe only have a couple cases a year.

Another item is electronic reporting is limited or incomplete. When the courts had a backlog that needed to be submitted it was submitted on a disc in PDF files to be printed page by page at DPS for data entry. Many courts, especially those on our state sponsored system, can print the disposition form directly to DPS and this is considered electronic reporting. I don't want to appear to focus on only DPS, the court had issues. We had a lack of agreements. Many of our courts thought their law enforcement or DA's were submitting the information. When we asked them to confirm that they found out it had not been done for sometime and nobody ever communicated that.

Staff turnover – many courts had no idea because somebody retired or somebody had left that they were required to do this. And our case management limitations, as has been referenced here today some of the numbers and information that are needed for this are not in the case management systems. They were either designed or built when the courts were not aware of the need for say a PCN. Many courts are going on to a new system. It is a great time to be aware of those needed items.

We have identified a few recommendations for your consideration, many you've heard already today – forms and training on those forms. The form that's been designed needs to be distributed statewide for all the courts to begin working to provide the information. Instructions should be prepared for those forms and distributed with those forms. A webinar would be really great because that would help the courts as the staff turnover, as people are promoted they could still get the training they need for those requirements. And as the forms are developed it would be great if we could be aware of what's going on. The courts should be allowed some time to transition, especially if there are requirements that can't be in their database. We're going to have to work with them to facilitate that change in their case management system and their processing.

We would love it if DPS could prepare some type of automated compliance report. I am not exaggerating to say that we have a handful of courts that may only need to report to the Repository once or twice a year. They will consistently be on a manually created report as not being in compliance. That's not fair. If there was an automated report DPS could use it to help them manage. They could share that report with the courts or the AOC quarterly or biannually and we could help them resolve issues with the courts not in compliance. We could continue working to complete the electronic interface and data exchange. That is



obviously where we all want to go. The NOCs are probably a very integral part of that. I would love to have the data entry workers become data manage workers where we only have a few exceptions and their matching those exceptions instead of actual data entry.

When you have 800,000 records that are going to take 4 years to data enter, we all know that a data exchange would take moments. The bottom line for all our efforts is improved communication, both with staff in the 2 branches involved as well as electronically through the exchange of information.

I believe our efforts through the last 6 months have improved the communication among the court and DPS. DPS staff gave a presentation to the Justices of the Peace and the Municipal Court judges last month and they will be giving a presentation to the Court Administration Committee this month. As our knowledge and information is shared we can only get better with this effort.

*Julie Butler:*

Thank you very much, Robin. I appreciate the feedback in particular where we have fallen short as the Repository and I hope to improve that in the future. Thank you very much. Any questions for Robin from the committee members?

*Senator Justin Jones:*

I do have a question. Why are the court systems on 7 different systems? Why not make it uniform across court systems?

*Robin Sweet:*

The Nevada Judiciary is not unified or centralized, however you call that, so each court stands alone and makes its own decisions. Each county makes their own decision. We do have a State-sponsored system and we have 33 courts that are on that state sponsored system. We have another half dozen courts that have used the same software; they are just not on the State-sponsored systems so that means they have a different database, different processes. There was a dream of someday that happening but the reality is that because, in part the funding sources of Nevada courts – Municipal Courts are funded by the city, Justice Courts are funded by the county; the District Courts are funded by the county and the State. So how could the State come in and mandate that counties and cities buy a certain software, for example. That's just one of the many issues.

*Senator Justin Jones:*

They may not be able to mandate it but they can certainly make it more attractive.

*Robin Sweet:*

And we have done that, sir. We have recently completed a contract with our State-sponsored system that allows any court in the state to come on that system without having to pay for the licensing, they just have to pay for their server needs. But they wouldn't have to pay for the license of the software. We do have a couple of courts interested in that which means there would be a few more courts on the same software.

*Senator Justin Jones:*

Thank you.

*Robin Sweet:*  
You're welcome.

*Julie Butler:*

That was one of the recommendations from MTG's study back in 2011 or 2012 when I made this presentation was that we set up a series of regional information exchanges with the Repository. Again, what they projected in terms of high level costs was in the ballpark of \$9M to accomplish that over a 4 to 5 year time period. We're not, I think, as far off from that. One of the things they recommended as initial steps is identifying the problem which we are in the process of doing with our records quality audit and then backfilling the dispositions where we can pinpoint there's missing information and we have a grant to do that; and then a lot of training and outreach by the Repository which we're in the midst of right now. I think we're taking the baby steps we need to start building on some of the vision that was portrayed in the MTG Study for these regional exchanges. It's just going to take a lot of effort by all the agencies to commit to this. I am encouraged by the turnout of this meeting and I think the appetite certainly seems to be there. Are there any other comments or questions right now by the committee? Ok, Tom.

*Tom Ely:*

Good morning, my name is Tom Ely. I'm with Parole & Probation. I work in our Headquarters office and I've been involved in our technology since the 90's. I first want to say that we rely heavily on the NCJIS system. Our officers are non-sworn staff who do pre-sentence reports. We appreciate the response time and all of the options that it gives us.

To give you a little bit of background, most of our processes for our division begin with the pre-sentence report process where we are providing District Courts with information and background on offenders that are about to be sentenced both for felony and gross misdemeanors. So we require a lot of background information through the NCJIS and NCIC systems. We have supervision officers that manage parolees, probationers, and lifetime supervision sex offenders. We also complete post conviction reports and pardons investigations. We are a huge user in this system.

Our biggest issue would be the timeliness and completeness of the records for our pre-sentence reports and for our supervision officers. The reports that we complete are used by courts, prosecutors, public defenders and private attorneys, the NDOC, investigators nationwide - when they're doing background checks on other people they call us for our reports and our records. During 2012 the Advisory Commission on the Administration of Justice and in 2013 Legislative session what ended up as AB423, part of the discussion for that was that our agency was not providing a way for offenders who had issues with our report or their criminal history that was written in our report, to contest it or to correct it. Some of the information we put in there was based on the arrest records that were listed and there was no disposition. If we have a disposition you have a section that lists all the charges all the way through disposition. If there's only an arrest we feel it's important for the judge to know at sentencing. It's in a paragraph form under that section which says between these dates this individual was arrested on these charges and no disposition is available. A lot of times those are what the individuals contest. They'll say I don't remember that or that wasn't me. Whether it is or not, we don't have a way of providing any more information on that based on the information we can get out of NCJIS system at this time. While we rely on

the system, we appreciate the ability to use the system, and we absolutely love working with the staff we still would like to see some improvements. That's all I need to say.

*Julie Butler:*

Thank you, Tom. Do you have any recommendations on what those improvements should be from Parole & Probation's perspective?

*Tom Ely:*

I think most of them have already been addressed. Ideally, if timeliness of reports and the entry into the system is there we will get the improvement we need as users of the system. I don't have any specific technical recommendations. I believe those would answer the few issues we have with the system.

*Julie Butler:*

Thank you. Any questions for Capt. Ely?

*Jared Frost:*

I have one. Mr. Ely, could you just touch on whether Parole & Probation is providing information to the Repository and if so what kind of information?

*Tom Ely:*

We're a user. We don't provide dispositions. NDOC as an example is looking at providing dispositions for when somebody is released from prison. We provide a different sort of information. It doesn't go into the NCJIS system as a record that is pulled as part of a criminal history query. Our agency provides the Dangerous Offender Notification System information. What that does is it tells the local officer on the street Statewide the risk posed by a person in front of them, whether it's on the street or an investigation they're doing, or someone that's being booked into a jail. They can see through the DONS hit when they run the person's name whether this person is an active parolee or probationer or whether they're risk level is high or low, and contact information. But as far as the Criminal History Repository, we're not a submitter for that information.

*Jared Frost:*

I see, thank you.

*Robert Quick:*

Robert Quick, for the record. Do you face the same challenges as other users when you run into incomplete information as far as do you assign investigators to track that information down to complete the pre-sentence report or do you just deliver the report as the information you have?

*Tom Ely:*

When we're doing a pre-sentence investigation the individual that's assigned to do that investigation tries to track down as much as they can. They will not only go with the records that they can extract out of NCJIS and NCIC, they interview the actual defendant if possible and they ask them about that criminal history. With that said, there are things that we can't track down. If, as an example there's an out of state conviction, I think other states are in the same boat we have been in Nevada with entry of data. Sometimes we will call and dispositions won't be available from the other state. We do the best we can and if it's

completely not available and our timeframe for completing that investigation is coming up we have to submit it based on what we know as fact and if all we can do is list that there was an arrest and we don't have a disposition then that's what we have to do.

*Robert Quick:*

Thank you.

*John McCormick:*

You asked my question.

*Jared Frost:*

One more follow up question. Again, this is Jared Frost. Mr. Ely, are you aware whether if there is incomplete or inaccurate information in a pre-sentence investigation that's prepared by your office could that later be used to challenge a sentence? Could the offender use that to challenge his/her sentence? Can that create problems down the line for the legitimacy or validity for the sentence imposed?

*Tom Ely:*

It certainly could if there was incomplete information or inaccurate information. If we received information that had been incorrectly entered onto a person's record that didn't apply to them and yet we reported it then that is the type of information that the courts were concerned about under AB423, where the defendant and their attorney has the option of challenging that and making a correction in the PSI before sentencing. Statute requires that if they don't bring that up and it's not addressed at or before sentencing then that information stays with that defendant while they go through the criminal justice system in Nevada. We would like to see that the record be correct and that we're not providing any erroneous information.

I can tell you a lot of time the complaint we see the most is from people that we have done a records check on as an example if their in Las Vegas and the Metro gang unit has classified them as a gang member and that information is in SCOPE and we check with the gang unit, we have done our due diligence to verify and we put that information in the report, that is challenged mainly because it will affect their classification in the prison. They may not get a job outside the facility or a job inside the facility depending on what level of security their classified at. It can affect their housing. Simple things like that where there may not be an error but it's a point of contest for the various defendants. There will always be challenges. It's a matter of us having the best records available in each and every report.

*Jared Frost:*

Thank you.

*Julie Butler:*

Any comments from down south on the Committee? Thank you, Capt. Ely. Patty, did you have any additional comments?

*Patty peters:*

No, I think we're good.

*Julie Butler:*

Ok, moving back up to Carson City, is there any other member of the audience today that would like to comment on Agenda Item 4? Hearing none, I'd like to take about a 10 minute break at this point. I would appreciate it if this committee could reconvene at 11:05. Let's stand adjourned for a moment.

*The committee broke for a recess at 10:53am.*

*Julie Butler:*

Ok, I'll go ahead and call the meeting back to order if people could please take their seats.

*The committee was called to order at 11:06am.*

### **Agenda Item 5 – Disposition Policy Subcommittee Formulation to Include Goals and Objectives**

*Julie Butler:*

At this point on the agenda I wanted to discuss the Committee's appetite to form a subcommittee to take a look at some of the suggestions that we've heard today and come up with some recommendations that they could give to the Advisory Committee at its next regularly scheduled meeting. What I was thinking is we do have the NCJIS Technical Subcommittee that is already formed, and they do meet quarterly and they have a broad representation of users from local courts and law enforcement agencies and Department of Public Safety. I'm wondering if that might be a place to start, and we can augment off that committee with representation from some of the agencies that don't normally attend or aren't on the Technical Subcommittee. I'll open it up for comments from the NCJIS Advisory Committee members on that thought.

*John McCormick:*

Do we have a roster of the subcommittee handy so we can see who's on there?

*Julie Butler:*

Patty Peters, if you're still in the audience in Las Vegas, do you have a roster of who's on the NCJIS Technical Subcommittee?

*Patty Peters:*

I've got a list of all the agencies that attend and who I do mailing which I can send also Teresa Wiley. I've got well over 100 that we'll send to just from the south. As far as who's Chairperson and Co-Chair and that, you're talking about maybe 5 or 6 people for both of those. We can send those to you and Teresa can too.

*Julie Butler:*

Actually, I think was thinking of the NCJIS Steering Committee which is a smaller body because as I talk about this up here, the Technical Subcommittees – north and south, are pretty huge. What I'm wondering is if we use the Steering Committee and I don't know that they would be willing to do that but I can throw that out there. Do you know who's on that?

*Patty Peters:*

Bill Zihlman right now is the Chairperson for that. We've got a meeting scheduled probably within the next 4 weeks but I can get you that information. I can send that out after we get done with this meeting. Does he need the names now?

*Julie Butler:*

We're just kind of wondering for the broad representation on the Steering Committee.

*Patty Peters:*

I've got Bill Zihlman and he's Court Administrator for Henderson Municipal Court. There's myself, Patty Peters, Las Vegas Metro. I'm the Chairperson for the Southern Nevada Technical. Teresa Wiley, she's with Sparks PD. She's the Chairperson for the Northern Technical Subcommittee. There's also Hillary Velado who is the Terminal Agency Coordinator for Henderson PD. Kowan Connolly who is the TAC for Las Vegas Municipal Court. Leslie Titus who is with North Las Vegas Municipal Court. Serenity Simpson with the State. Usually at the Steering Committee, the AOC has always had an open invitation and is welcome to come to those. I think it generally runs anywhere from 6 – 10 people that are on that Steering Committee. We try to make that Steering Committee so it's a broad range of the small agencies, the midsize agencies, and the large agencies. We use to have representation from the District Attorney's Office but I think that was Bob and then I think that changed to Matt Butler. He's still on Steering. We had a lot of Justice Court that would show up for those too. That's off the top of my head but I can send you the list.

*John McCormick:*

If we do decide to proceed with that body we do need to make sure to include prosecutors and northern law enforcement. I think she said Sparks PD but we might need to expand that. A glaring hole in my mind is the District Court level. There was only limited jurisdiction court representation as well. I think those should be key holes to fill.

*Patty Peters:*

The north has quite a few other ones that are up there. There's a lot of courts from the north that also come and a lot from the mid part. I just off the top of my head can't think of their names. Sorry.

*John McCormick:*

I understand, I'm just saying that District Court would probably be key here because just the courts you mentioned are limited jurisdiction. In my experience limited jurisdictions are a little more engaged in this adventure.

*Patty Peters:*

Julie, I'll get you a list of everybody at the Steering.

*Julie Butler:*

That would be helpful.

*Patty Peters:*

For the most part, as far as the Technical Subcommittees go, they're really broken up into the audits. So anybody that the state audits, that is audited by the Vegas DPS staff, they're under my jurisdiction. And then whoever the northern auditor is that usually falls under

Teresa. Anybody that's on the NCJIS TAC list they're going to be a part of our committee. So that's everybody.

*Julie Butler:*

What I don't want to see is if the committee get so large that it becomes unwieldy. We tried to form a subcommittee a few years back to address dispositions and it didn't really go anywhere. I want to prevent that from happening going forward. I think that what I'd like to look at is using that Steering Committee and then inviting representatives, reaching out to the AOC and inviting representative from their agency, as well as the District Court, as well as some of the entities we've heard from today – Parole & Probation, Department of Corrections, these user agencies to see what we can do in terms of coming up with the standardized forms and changing some of the reporting requirements. I don't understand the history of why the state had made it such that the locals couldn't just enter into NCJIS. My personal guess is maybe the fear that the more fingers you allow in the pie messes up the pie. We've got to do something. Clearly we can't continue to go on business as usual. Committee, at this point, would you agree with using this subcommittee and augmenting it or do you have any other suggestions we could look at as a policy body to start addressing these issues?

*Patty Peters:*

Julie, are you posing that to the Advisory Committee?

*Julie Butler:*

Yes, I am.

*Jared Frost:*

This is Jared Frost again. I think that is a good suggestion. It seems to be a good place to start that we could build on and I'd certainly support in an effort to provide some more concrete recommendations to make reporting easier on the criminal justice agencies and also more complete for the Repository.

*John McCormick:*

Again for the record, John McCormick. I think I would be alright in moving forward in that direction. I just want to echo your comment that we have to make sure the body doesn't get so large that we can't agree on anything or have any substantive recommendations.

*Robert Quick:*

Robert Quick, I would concur as well and just a suggestion, perhaps break the groups or entities down into groups and limit the numbers from each one so that you at least can control the total number. That way you can also ensure that there's diversity in the opinions.

*Julie Butler:*

We can certainly do that. We can communicate the membership via email to the committee members once we finalize that. We can start with the Steering Committee and invite other members and then come up with a list and get that out to the committees to let them know who's on it. We would expect a report from the committee and our next regularly scheduled meeting. Lori, since you're our Open Meeting Law person and I have this down for possible action is this something that we need to take a motion on, the committee's desire to adopt a subcommittee to look at this?

*Lori Story:*

Yes.

*Julie Butler:*

So at this point I would entertain a motion to adopt a policy subcommittee to look at the disposition issues in Nevada with a goal of developing recommendations for the next NCJIS Advisory Committee meeting. Do I have a motion?

*John McCormick:*

So moved.

*Robert Quick:*

Second.

*Julie Butler:*

Ok, all those in favor of the motion? Excuse me, any discussion on the motion first? Hearing none. All those in favor? Any opposed?

*All favored the motion.*

*Julie Butler:*

Very good, the motion carries. We'll make sure that my staff communicates to the Steering Committee and send invitations to other agencies that are here in attendance to day to elicit representatives and get going on that. Moving on to Agenda Item 6.

#### **Agenda Item 6 – Comments of committee members (for discussion)**

*Julie Butler:*

Any comments or reflections from the committee members today on anything you've heard.

*Jared Frost:*

Once again this is Jared Frost. I just wanted to say that a lot of what we've been hearing today is that the criminal justice agencies want more direction. They want to help the Repository complete its goals and objectives and I think as we provide additional instruction and details about the reporting requirements, particularly what records are required from what agencies, when those records are required and what form the Repository wants to see. I hope and think that we'll have a lot more compliance on these reporting requirements. I think that's also contemplated by the statute. The statute talks about records that are required by the Department and submitted in the form designated by the Department as well so I really do think having DPS take a more active role reaching out to different criminal justice agencies that we'll be closer to where we want to be. Thank you.

*Julie Butler:*

Thank you, Jared. Any other comments from the committee? Hearing none.

#### **Agenda Item 7 – Public comment (for discussion)**

*Julie Butler:*



Is there any public comment to Agenda Item 7 either in Las Vegas or Carson City?

*Patty Peters:*  
No, ma'am.

*Julie Butler:*  
Thank you, Patty.

**Agenda Item 8 – Schedule next NCJIS Advisory Committee meeting (for possible action)**

*Julie Butler:*  
At this point we need to take a look at scheduling the next NCJIS Advisory Committee meeting, recognizing that we need to give our newly formed subcommittee some time to take what they've learned and make some recommendations. I'm thinking since this was an interim meeting and we met in December, probably somewhere around the June, July, August timeframe. What's the pleasure of the committee members?

*Senator Justin Jones:*  
Madam Chair, if we're going to make recommendations that are going to cost money they really need to be out by the end of May in order to get into Governor's budget. Given what we've talked about today those are going to be fairly substantial if we're going to make those recommendations. I know that's a tight timeframe but GovRec is what governs so we ought to think about a tighter timeframe.

*Julie Butler:*  
If we had a meeting in April would that give the committee enough time to at least come forth with some recommendations on standardized forms and reporting requirements? I'm thinking those might not cost money. Where we get into the money aspect is contemplating the IT fixes to these issues versus just the process issues.

*Patty Peters:*  
Julie, this is Patty. The Steering Committee is meeting tomorrow so I think we'd be more than ready.

*Julie Butler:*  
Why don't we look toward the end of April for the next meeting and then I will have my staff reach out to all the committee members so that we can firm up the date and a location. I'm thinking probably the last couple of weeks of April if that's agreeable to everybody.

*Robert Quick:*  
I'm not available the last week in April.

*Julie Butler:*  
I'll have my staff reach out to the committee members on their availability in April and we'll go from there.

**Agenda Item 9 – Adjournment (for possible action)**

*Julie Butler:*

Seeing no other business of the committee, I'll take a motion to adjourn.

*John McCormick:*

So Moved.

*Julie Butler:*

We are adjourned. Thank you very much. I very much appreciate everybody's participation and attendance today.

Meeting adjourned at 11:23am.