

**CRIMINAL AND JUVENILE JUSTICE INFORMATION SYSTEMS
(CJJIS) COUNCIL**

**MINUTES OF MEETING
Monday, September 16, 2019
Conference Call**

Members Present:

Carolyn Timmann for Clerks, Martin County Clerk of Circuit Court and Comptroller
Jennifer Pritt, Designee for Commissioner Rick Swearingen, Florida Department of Law Enforcement (FDLE)
Blair Payne, Public Defender, 3rd Judicial Circuit
Roosevelt Sawyer, Jr., Designee for Elisabeth H. Kiel, Office of the State Courts Administrator (OSCA)
Geoff Fulcher for Dennis Hollingsworth, Designee for Secretary Simone Marstiller, Department of Juvenile Justice (DJJ)
Tim Roufa, Designee for Executive Director Terry L. Rhodes, Department of Highway Safety and Motor Vehicles (DHSMV)
Doug Smith, Designee for Attorney General Ashley Moody
Wendy Ling, Designee for Secretary Mark S. Inch, Department of Corrections (DC)
Hamilton Davies for Katherine Fernandez Rundle, State Attorney's Office, Eleventh Judicial Circuit
Mike Williams, Sheriff, Jacksonville Sheriff's Office
Mike Prendergast, Sheriff, Citrus County Sheriff's Office

Members Absent:

Gina Giacomo, Designee for Melinda N. Coonrod, Chair, Florida Commission on Offender Review (COR)
Travis Paulk, Designee for Secretary Chad Poppell, Department of Children and Families (DCF)

There are two positions currently vacant on the CJJIS Council: two police chiefs.

WELCOME MEMBERS and OPENING

Chair Timmann welcomed Council members and attendees then called the meeting to order at 10:00 a.m. Chair Timmann requested a motion to approve the agenda. Council Member Smith moved and Sheriff Williams seconded the motion to adopt agenda. Motion passed.

Due to scheduling conflicts, agenda items 2 and 3 were moved to the beginning of the meeting.

ITEM 2 – Uniform Arrest Affidavit
Bureau Chief Renee’ Strickland
Florida Department of Law Enforcement
Action Item

Chair Timmann recognized Criminal Justice Information Services Director Charles Schaeffer who offered remarks on the uniform arrest affidavit. Director Schaeffer discussed the legislative deadlines tasked to the Council for creating a uniform arrest affidavit. By October 1, 2019 the Council in conjunction with FDLE must develop specifications for a uniform arrest affidavit. By January 1, 2020, FDLE must procure a uniform arrest affidavit system, and implement the statewide system by July 1, 2020. FDLE had conversations with legislative staff on the intent; specifically on the items seized at time of arrest and when to capture release information.

Director Schaeffer explained there may have been confusion during the July 8, 2019 CJJIS Council meeting regarding the uniform arrest affidavit workgroup and governance board. From an FDLE perspective, it was not the intent for the workgroup and governance board to consist of the same group of people. The uniform arrest affidavit workgroup should involve practitioners to identify data elements/specifications for the statewide system. Once the uniform arrest affidavit system is in place, the governance board will provide oversight; vet change requests; and make recommendations to the Council.

FDLE reviewed 56 arrest forms from jails across the state and cross-referenced the information to data related to the Florida Incident-Based Reporting System (FIBRS) and criminal justice data transparency initiatives. Additionally, FDLE cross-walked the data elements from the Florida Courts Technology Commission Criminal Case Initiation Workgroup (CCIW) with the agencies who submitted arrest affidavits. During the cross-walk, staff noticed many elements from the CCIW occur after booking. FDLE and the Uniform Arrest Affidavit Workgroup (Workgroup) incorporated, where appropriate, the elements provided by the CCIW.

Recently, FDLE discussed with the Attorney General’s Office how to improve the flow of data from law enforcement through the prosecutor and judicial segments. FDLE is bound by the law and scope of the uniform arrest affidavit as relayed by legislative staff. If there is a need to create a unified system FDLE is willing to participate; however, this is not an initiative FDLE will lead.

FDLE is finalizing a Uniform Arrest Affidavit Statement of Work which is required to engage vendors. To allow easier access for the stakeholders, the uniform arrest affidavit system will be hosted in a secure environment in the Microsoft Azure Government Cloud, and as mentioned in previous meetings, NIEM XML is the data standard.

The following questions and comments were posed during the discussion on the uniform arrest affidavit:

- Council Member Davies: Is this being looked at as a minimum standard for data fields or are these the only acceptable fields?
 - Director Schaeffer: These are mandatory fields; agencies may have elements specific to their process (i.e. county ordinance or municipal codes). If the request is for an element that can be added to a table (i.e. hair color) it may not require the governance board approval. If the request is a significant change, the governance board will determine if that element is added to the system.
- Council Member Davies: If a circuit currently has a system in place and wants to continue using that system rather than using the statewide system could circuits feed the statewide system with their data?

- Director Schaeffer: It depends. If FDLE can accept the data in the NIEM XML standard and ingest data into the system, then it may be possible for the circuits to continue with their systems.
- Council Member Davies: There is concern about the confidentiality of victim and witness information being stored in a central database.
 - Chair Timmann also raised the issue of confidentiality. The courts need a final document that memorializes the arrest and booking process, and she stated the court prospective is missing from the collection of the uniform arrest affidavit. Prosecutors and law enforcement must understand what elements must be protected at the judicial level, and she asked that the judicial state court system be added to the Workgroup.
 - Director Schaeffer: The Workgroup will sunset upon the selection of a vendor. A new workgroup will form to begin the design phase and the creation of use cases; and to determine what information is collected that becomes a report or output to the law enforcement, clerk, and state attorney. The new group can discuss what should be redacted based on the business rules.
- Chair Timmann: I received a letter from OSCA asking to be included in the process on the front end to ensure the most efficient system possible. When listening to the Workgroup calls, I heard Workgroup members mention, on several occasions, the need for judicial input on various data elements. I am requesting a motion to add the courts to the Workgroup.
 - Vice Chair Pritt: In regards to the Workgroup and the reference judicial input, multiple clerks and members of the Workgroup are also part of the CCIW. When talking about practitioners that should be engaged, would that be the clerks or the judges?
 - Chair Timmann: The clerks and others on the Workgroup mentioned a judge's input would be valuable.
 - Director Schaeffer: Chair Timmann referenced a document. The current system is a paper process. The output of the new system could be a document that we can define. Not all data elements collected must be part of the document. The superset of all data elements collected are entered into a database. The output of the database can be filtered, down to the circuit or clerk level. A final document can be produced at the end that becomes the court record. The definition of the output comes in the design phase. A vendor must be selected in order to design the system.
 - Chair Timmann: We may be discussing two different issues. Ultimately the court record needs a document that memorialized the arrest.
 - Director Schaeffer: The system will provide that record.
 - Chair Timmann: The question is what data elements are essential to be in the final document? Judicial input is needed at the front end.
 - Director Schaeffer: The front end is in the design phase.
 - Council Member Sawyer: When discussing the uniform arrest affidavit in July, my intent was for the courts to have representation on the Workgroup in identifying the data elements. The courts contacted multiple judicial partners, FDLE, and others to identify data elements required to initiate a court case. I was asking that the practitioners who were a part of the CCIW participate on the Workgroup; not in the design, but in the data element discussions.
 - Director Schaeffer: FDLE took output provided by OSCA and cross-walked the elements.
 - Council Member Sawyer: I believe that was not the intent at the July 8, 2019 Council meeting, nor is it now, to exclude the courts on the Workgroup.
 - Chair Timmann: Agree; my understanding was to include the courts.

MOTION: Sheriff Prendergast moved to add state courts representatives to serve on the Uniform Arrest Affidavit Workgroup, regardless if the Workgroup meets again. The motion was seconded by Council Member Roufa. Motion passed.

- Council Member Davies: My concerns were addressed regarding the minimum standards. FDLE would be inclined to accept a data feed as long as it is one standard data feed. Circuits could continue to use their existing systems as long as standard met.
 - Director Schaeffer: The statewide uniform arrest affidavit system is not a repository of record. While the information could be housed by FDLE, it is not intended to be a database of record. It is standardizing what happens from law enforcement arresting someone and handing that person to the Department of Corrections or a booking facility. FDLE's database of record is the Computerized Criminal History, which is fingerprint-based. Fingerprints are necessary in order to update a criminal history. The new system does not change the process.

Chair Timmann recognized Chief Strickland who briefed the Council on the uniform arrest affidavit data elements. Chief Strickland discussed the data elements and where the elements are first collected; at arrest or at booking. The elements listed do not mean those are required elements.

The following questions and/or comments were posed during the discussion on the uniform arrest affidavit data elements:

- Chair Timmann: Are there elements the Workgroup agreed upon that were not included?
 - Chief Strickland: The Workgroup was asked each time the document was updated to identify missing elements. No one provided feedback.
- Chair Timmann: Does the table that lists elements as optional and non-applicable indicate those elements are not included in the arrest affidavit?
 - Chief Strickland: For that person type, that is correct. The table represents person specific elements. For example, eye color is not captured for someone identified as a witness. Some fields are required by statute (i.e. parent information when arresting a juvenile).
- Chair Timmann: What is the time for vendor procurement process?
 - Planning and Policy Administrator Andrew Branch: Following the completion and approval of the data elements, FDLE will finalize the Uniform Arrest Affidavit Statement of Work and negotiate the terms with a vendor.
- Chair Timmann: How long will the process take?
 - Director Schaeffer: FDLE is trying to meet the legislative mandate.

FDLE is asking for approval of the first round of elements in the data dictionary to include the dictionary in the Uniform Arrest Affidavit Statement of Work. Data elements may be incorporated in the design phase. If there are changes, the new workgroup for the design phase will review those elements, and FDLE will bring forward for Council approval. FDLE anticipates revisions to the data dictionary will not include many new elements; the changes may be related to field names or elaboration of business rules. Any significant changes will be brought to the Council for approval.

MOTION: Council Member Pritt moved to adopt the Uniform Arrest Affidavit Data Dictionary Version 1.0 as presented to the Council with the understanding that significant changes to the dictionary will be brought back to the Council for approval. The motion was seconded by Sheriff Prendergast. Motion passed.

With the Council adopting the data elements presented by the Workgroup this action subsequently sunsets the Workgroup.

ITEM 3 – Criminal Justice Data Transparency

Bureau Chief Reneé Strickland
Florida Department of Law Enforcement

Action Item

Chair Timmann recognized the stakeholders of the pilot project (Pinellas and Pasco counties). The stakeholders collaborated to identify elements and involved participants. The pilot stakeholders expressed concerns about dual tracked elements and FDLE working on a separate track, not having the NIEM XML standard, and the compressed timetable for the uniform arrest affidavit and statute table crosswalk.

Chair Timmann turned the Chair to Vice Chair Pritt.

Chair Pritt recognized Chief Strickland who briefed the Council on the status of the criminal justice data transparency initiative. FDLE held numerous conference calls with the reporting groups, pilot counties, legislative staff, and attorney general staff. The NIEM XML FIBRS standard has been available on the CJNet since April, with minor modifications. FDLE is cross walking the specifications between the uniform arrest affidavit, criminal justice data transparency, and FIBRS. FDLE is asking for approval of the updated State Attorney Data Dictionary Version 1.1. The revisions include the specific person elements and how the information is captured.

MOTION: Council Member Smith moved to adopt the State Attorney Data Dictionary Version 1.1 as presented to the Council with the understanding that the dictionary may be modified. The motion was seconded by Sheriff Prendergast and Council Member Sawyer Motion passed.

Chief Strickland discussed the status of the Clerk of Court Data Dictionary. The dictionary presented to the Council contains a portion of the elements. Records associated with criminal justice data transparency are arrest events, not fingerprint-based. For those events and people associated with those events without a number attached to a biometric, FDLE is asking for the additional elements to improve matching the person with the unique identifier required in data transparency. The additional elements are included in the arrest affidavit. Upon the completion of the uniform arrest affidavit system, the clerks should have the information in XML format allowing those elements be submitted to FDLE for data transparency purposes, provided an arrest occurred. FDLE will not have notice to appear information. FDLE is seeking clarification from legislative staff on some of the elements outlined in the court activity list; such as the type of hearing dates and what clerks capture.

The following question was posed during the discussion on criminal justice data transparency:

- Council Member Sawyer: Regarding the court activity list, are meetings taking place?
 - Chief Strickland: Recent conversations have been with the pilot counties for initial information on how those counties capture the data. We've learned the data is captured differently among the counties.

MOTION: Council Member Sawyer moved to adopt the partial Clerk of Court Data Dictionary Version 1.0 as presented to the Council with the understanding that the dictionary may be modified. The motion was seconded by Sheriff Prendergast. Motion passed.

Next steps for criminal justice data transparency include finalizing the statement of work and refining the elements to XML standards. Additionally, FDLE will hire staff to manage the project.

ITEM 1 – Florida Incident-Based Reporting System (FIBRS) Update

Project Managers James Latham and Kristen Grosh

Florida Department of Law Enforcement

Action Item

Chair Pritt recognized Project Manager Latham who provided an update on FIBRS. In July, FDLE hosted numerous Federal Bureau of Investigation lead trainings across the state, with approximately 1,000 persons from local agencies participating. FDLE finalized the NCS-X grant process for those agencies selected by the Bureau of Justice Statistics. The FIBRS Project Steering Committee held the kickoff meeting, and the project went live on July 23, 2019. In addition to creating a repository for the incident-based data, FDLE is standing up a records management system for agencies that do not have their own records management system or agencies unable to upgrade their systems to meet the FIBRS specification. The FDLE Information Exchange Package Documentation (IEPD) includes data exchange specifications for FIBRS, criminal justice data transparency, and uniform arrest affidavit, and other systems.

Chair Pritt recognized Project Manager Grosh who provided an overview of the IEPD and demonstrated to Council members how to navigate through the IEPD. Project Manager Grosh explained the documents in the various folders within the IEPD. FDLE is seeking approval of the NIBRS, Use-of-Force, and Florida specific Uniform Crime Reporting information found within version 1.1 of the IEPD.

MOTION: Sheriff Williams moved to adopt the NIBRS, Use-of-Force, and Florida specific Uniform Crime Reporting information found within version 1.1 of the IEPD. The motion was seconded by Sheriff Prendergast. Motion passed.

The next steps for FIBRS include finalizing the statement of work for the FIBRS repository and records management system; implementing the NCS-X grant; hosting conference calls with NCS-X agencies; and hiring staff to manage the project. FDLE is finalizing data elements to the XML standards and will seek the Council's approval at the December Council meeting.

CLOSING REMARKS

Director Schaeffer mentioned FDLE is providing an update on FIBRS, uniform arrest affidavit, and criminal justice data transparency to the Florida Sheriffs Association in October and House Judiciary Committee on September 17, 2019. Chair Pritt thanked members for their attendance. The meeting was adjourned at 11:46 p.m.