

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

MINUTES of MEETING

Thursday, May 29, 1997

The meeting was called to order by Chairman Kenneth Palmer at 10:00 a.m. on May 29, 1997, at the Adam's Mark Daytona Beach Resort in conjunction with the Florida Department of Law Enforcement CJIS Users Conference.

Members Present:

Chairman Kenneth Palmer, State Courts Administrator
Carolyn Snurkowski, Designee for Attorney General Robert A. Butterworth
Jim Blackford, Designee for Lawrence W. Crow, Jr., Sheriff, Polk County
Elaine W. Bryant, Designee for Secretary Calvin Ross, Department of Juvenile Justice
Earl Kellow, Designee for Secretary Harry K. Singletary, Department of Corrections
Edward Spooner, Chair, Florida Parole Commission
Karen Rushing, Clerk of the Court, Sarasota County
Daryl G. McLaughlin, Deputy Commissioner, Department of Law Enforcement
Dan Zinn, Designee for Barry Krischer, State Attorney, Fifteenth Judicial Circuit
Sid Klein, Chief, Clearwater Police Department
Arnold A. Gibbs, Chief, Cape Coral Police Department
Randy Esser, Designee for Executive Director Fred Dickinson III, Department of
Highway Safety and Motor Vehicles

APPROVAL OF THE MINUTES OF THE JANUARY 21, 1997 MEETING

The minutes were unanimously approved by the Council.

PRESENTATION OF AGENDA ITEMS

ITEM 1

1997 Legislation

Mr. Daryl McLaughlin

Florida Department of Law Enforcement

Mr. McLaughlin reported that the Legislature passed some bills this session that were very good for law enforcement. One such bill revised the sentencing guidelines, and is now called the "Florida Criminal Punishment Code". A major change in the sentencing guidelines now allows judges to sentence offenders to the maximum sentence prescribed

by law. Also, when judges deviate below the sentencing guidelines they must document their reasons in writing.

Another significant change in the law was the establishment of a statewide protocol for the Victim/Witness Protection Program. Under the new law, if a prosecutor in Florida determines that a witness/victim needs protection that creates an undue financial burden on local government, application may be made to the Violent Crime Council for assistance in covering the costs of protecting the individual. The Legislature appropriated \$500,000 for this purpose. While there is no current program to permanently relocate individuals, the program does provide for temporary relocation. The law also provides for exemption of the protection program from the public record law.

Also, there is a new law that permits interlocal agreements between agencies for law enforcement services across jurisdictional boundaries. This allows municipalities, that cannot afford to provide police service, to contract with neighboring municipalities to provide the service.

The Legislature also passed an exemption to the “Government in the Sunshine” law which allows portions of the Violent Crime Council meetings to remain confidential and closed when law enforcement personnel are discussing sensitive information concerning ongoing investigations that need funding from the Council.

Another new law requires FDLE and the Department of Highway Safety and Motor Vehicles to cooperate in a program that will prevent individuals from renewing their driver licenses if they have outstanding warrants for issuing bad checks. The bad checks will have to be satisfied before they can renew their driver licenses.

Senate Bill 940 requires the CJJIS Council to prepare a strategic plan by March 1 of each year and submit to the Governor and Legislature.

Senate Bill 958, the Public Safety Information Act, made a number of improvements to the sexual predator statute: requiring law enforcement personnel and child protection investigators to share information; strengthening the requirements for registration of convicted felons; simplifying the requirements for notification of the public when a sexual predator moves into a community.

FDLE is expanding its sexual predator information system to include sex offenders. Information on both sex offenders and registered sexual predators will be available on the Internet. A toll-free telephone line will be installed at FDLE to assist citizens with their inquiries. Mr. McLaughlin praised the Department of Corrections and the Department of Highway Safety and Motor Vehicles for their fine cooperation and assistance in improving access to sexual predator information, especially with current digitized photographs.

Mr. Palmer reported that Senate Bill 1880, which attempted to modify some of the Council's responsibilities as previously agreed upon by the members, did not pass. The bill was not controversial. It simply did not move through the legislative process fast enough and it was left on the table with many other bills at the close of the session. He expects success with the bill in the next session. He requested the members take one more careful look at the proposed legislation and give him any comments within 30 days.

Mr. Palmer also asked Council members to review and comment on the draft memorandum of understanding for future participants in the CJIS Network. He intends to have, at the next Council meeting, steering committee recommendations for the next legislative session on the CJIS Network (including budget requests) and proposed changes in Council duties.

ITEM 2
Policies and Standards

Mr. Kenneth Palmer
Chairman

Mr. Palmer reiterated the Council's decision at its January, '97, to concentrate on determining the unmet information needs of the criminal justice community and barriers to sharing information. He will send letters to the various constituent groups soliciting input on those issues. He then proposed that the Policies and Standards Work Group take on the tasks of synthesizing that input and developing recommendations to the Council. The group will also be asked to review and incorporate any national or state information standards that are appropriate. He asked each Council member to consider appointing a technical person to serve on the work group and let him know within 30 days.

Mr. Palmer said, at the national level, the Conference of State Court Administrators has requested the federal criminal justice agencies with various reporting requirements to appoint a task force to reconcile their many differences in reporting standards and develop a master inventory of federal reporting requirements. He said it appears the task force will be formed to address those issues.

In addition, the SEARCH group, the Bureau of Justice Assistance and the National Association of Court Management are collaborating on the development of national information reporting standards.

ITEM 3
Status Report from the Telecommunications Work Group

Ms. Brenda Owens
Florida Department of Law Enforcement

Ms. Owens reported that FDLE has contracted with programmers at OSCA to develop edit software for court disposition reporting for the non-consortium counties. The consortium project is developing software for the consortium counties. This software will permit the Clerks to transmit disposition data to Tallahassee, that will be pre-audited, correct and will be appropriately routed to FDLE and OSCA.

With regard to FCIC II, two communications circuits have been installed at every location statewide. Each location has a primary and a secondary (backup) circuit. In most locations, the secondary circuit will be a sufficient platform for the statewide Criminal Justice Network (CJ Net). In some of the larger volume locations, a third circuit will have to be installed to handle the volume. This concept and configuration have been tested and proven.

The Department of Highway Safety and Motor Vehicles has requested permission to use the CJ Net for communication linkage between the CAD systems in their FHP stations. A test of that application is currently underway in Tallahassee and is working well. The Tampa and Brooksville stations will soon be added as additional test sites. It is anticipated that all FHP stations will be installed by the end of 1997.

CJ Net sites have been installed at ten Clerks of Court for testing the transmission of OBTS data. The tests have revealed some minor problems to be corrected, but the transmission of the files was successful.

Mr. Palmer asked about the status of the survey to determine how many local FCIC sites are co-located in the same buildings. Mr. Ray Finn stated that the survey had been completed. Mr. Palmer requested that the information be made available to the Council.

Ms. Owens mentioned that FDLE has placed all of the networking functions under a single management level, and Mr. Tom Watkins is now in charge of networking.

ITEM 4
Status Report on FCIC II
Ms. Brenda Owens
Florida Department of Law Enforcement

Ms. Owens reported that the entire state has now converted to the new FCIC II frame relay system, except one local interface agency. In addition, a number of state agencies have yet to complete the conversion. Some new direct connections to FCIC II are being approved and some mobile digital stations are also being added to the network, but system capacity and performance will be carefully monitored until completion of the new message switch.

A new version of the workstation software was issued and a few minor problems were discovered. A corrected version will issued in a couple of weeks.

FDLE staff has been working with the vendor for five months on the project to replace the message switch and hot files. Projected date for completion is Summer of '98.

Ms. Owens stated that the message switch project will have a major impact on local agencies. Major programming modifications will be required in the local interface agencies and state agencies to make their systems compatible with the new message switch.

ITEM 5

National Law Enforcement Telecommunications System

Mr. Tim Sweeney

National Law Enforcement Telecommunications System

Mr. Sweeney began with a brief overview of NLETS. It is a private non-profit organization, created in 1965 by the states to operate an inter-state nationwide telecommunications network. The system is wholly owned and funded by the states and participating federal agencies, with an annual budget of around 1.5 million dollars and a staff of eight. NLETS supports approximately 150,000 terminals.

About two years ago NLETS recognized the need to extend its services to the many non-criminal justice agencies in the country that support the criminal justice system. As an example, child support enforcement in some states is not under criminal justice agencies, and existing rules did not allow them access to NLETS. Therefore, NLETS changed its rules to allow access to non-criminal agencies that enforce or assist in the enforcement of laws. However, the various states must allow those agencies into their systems at the state level before they can participate. There are still 20 states that do not allow access.

New and planned enhancements for NLETS, by year, include:

1996

Name only inquiries on driver license information
Access to parole, probation, corrections and sex offender information among states
New help files
NICB's files
Access to the ATF gun tracing system

1997

Vehicle registration by name only
Access to commercial driver license data
INS's Law Enforcement Support Center

1998

New NLETS system

Standardized criminal history formats
Generic name/number index
AFIS Exchange
RAND (Retrieve All NLETS Data)
National Drug Pointer Index

Mr. Palmer asked if non-criminal justice agencies will have access to NLETS in Florida. Ms. Owens said FDLE is presently attempting to provide NLETS access to the Department of Revenue so it can communicate with other states in child support enforcement efforts.

Mr. Palmer said there may be a number of agencies in the court system that could benefit from access to NLETS.

ITEM 6
Sentencing Guidelines Work Group
Mr. Kenneth Palmer
Chairman

Mr. Palmer reported that the members of the work group have been selected and would begin meeting this summer. The members are:

Judge W. O. Eaton, 18th Judicial Circuit, Chair
Judge Jennette Dunnigan, Manatee County
Joann Leznoff, Department of Corrections
Windy Witt, representing the Clerks of Court
Beverly Andringa, representing the State Attorneys
Leonard Holton, representing the Public Defenders

A major concern of the Council, as articulated at the last meeting, is the large amount of redundant data collection and recording in the sentencing process. The first effort of the work group will be to collect as many of the forms as possible that are used in the sentencing process at the local level and do an inventory and analysis of the data on those forms. The group will also research rule and statutory authorities for the collection of the data to determine what is required, either statewide or local only.

Next, staff from the Department of Corrections and the Office of the State Courts Administrator will analyze the sentencing process in the Second Judicial Circuit in Leon County. Based upon the findings, they will expand the review into three (small, medium and large) additional counties. They will then report to the Sentencing Work Group in June or July. The goals of the work group at this point include: elimination of redundant data collection; standardization of the sentencing forms where possible; and correction of outdated forms and procedures in the sentencing process. The work group plans to have a status report ready for the October Council meeting.

ITEM 7
Status Report on the Juvenile Data Sharing Work Group
Ms. Jan Wright
Department of Juvenile Justice

Ms. Wright reported that the work group's current effort is to survey all constituent groups to determine the common data elements they need to share juvenile information and the exact definition of those data elements. Based on this survey, the work group will formulate some recommended standards for juvenile data. Those recommended standards will be submitted to the constituent groups for comment, and ultimately to the Council.

Mr. Palmer complimented DJJ and the participants in the Juvenile Information Sharing JAD that was conducted in Orlando.

ITEM 8
Status of the Integrated Criminal History Network (ICHN)
Mr. Gerald Brooks
Florida Department of Law Enforcement

Mr. Brooks reported that the central site is up and running. Printrack spent the month of April testing the system. In June they will begin testing transmission of a whole record through the system to include live scan prints and demographic data, AFIS analysis and criminal history record update.

Training of fingerprint analysts will also begin in June. ICHN represents a total change from the traditional process of handling fingerprints and demographic data. There will no longer be cards. Everything will be done by electronic medium, and this radical change that will require some adjustment time for people.

Five additional counties are scheduled to get livescan equipment in each of the three months of June, July and August. It is anticipated that we will be able to cut over to the new process around mid July.

Ms. Rushing said the counties are very interested in integrating this technology into their systems, and look forward to being able to use it in the courtrooms.

FDLE is also looking at possible ways to allow small counties to participate in ICHN when it is not cost effective to install a full blown livescan workstation. One possibility may be scanning regular fingerprint cards and then transmitting the prints electronically.

Mr. McLaughlin asked if the ICHN system will be compatible with local AFIS system. Mr. Brooks said some of the systems will have to be upgraded. Some are attempting to secure funding at this time.

ITEM 9

Status of Disposition Reporting

Mr. Wayne Quinsey

Florida Department of Law Enforcement

Mr. Quinsey reported that, since criminal history records are public in Florida, requests for that information continue to increase at a rapid rate. To date, FDLE has approximately 3.2 million criminal histories, containing about 13.5 million arrests. In October '94, FDLE began maintaining a juvenile criminal history file which now contains around 224,000 juvenile arrests. At the present, there is no requirement to report dispositions on juvenile arrests, and the percentage of juvenile dispositions is low. We have the fourth largest criminal history file in the nation.

Disposition reporting is extremely important to FDLE. It is a performance measure in our performance based budget, and we have secured federal grants and contracted with the Clerks of Court for the past several years to increase the percentage of reported dispositions. In some cases where local agency staffs are very limited, FDLE has loaned them staff to research dispositions. FDLE is also working with the Florida Association of Clerks/Comptrollers on their project for disposition reporting and DHSMV on reporting of criminal traffic violations.

FDLE is also planning for the future electronic transmission of disposition data to Tallahassee on a daily basis, just like fingerprint data.

At the direction of the Council, the Criminal Justice Data Element Dictionary has been updated to include juvenile disposition reporting.

Mr. McLaughlin said we need to help the Clerks obtain funding to support the costs of submitting juvenile disposition data. Mr. Palmer said there needs to be a pretty clear understanding of the actual impact and cost of statewide juvenile disposition reporting, and he suggested that Clerks might report to the Council at its October meeting on these issues.

ITEM 10

Information Sharing Issues

Ms. Brenda Owens

Florida Department of Law Enforcement

FDLE has been working extensively with other state agencies on some programs to share information needed by the criminal justice community and the public. One such effort

involves the Department of Corrections and information on early release of inmates. Now available on the Internet is status information and photographs of inmates who have been released early from incarceration.

Another high profile program involving the Department of Highway Safety and Motor Vehicles is implementation of the new statutory requirements for sexual predator registration. Under the new statutory language, sexual predators are required to go to their local driver license office each time they change residence, register their new address and have a current photograph made. The information is forwarded to FDLE who, in turn, updates its databases and forwards notification to the appropriate local officials.

A new program in NCIC provides the ability to enter protective orders. Florida has been entering domestic and repeat violence injunctions in FCIC for more than a year. We can now enter them in NCIC.

FDLE is also working with DJJ to make sure FCIC users will be able to access the information in the DJJ databases.

Meeting was adjourned at 12:09 p.m.
