

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

MINUTES OF MEETING

**Wednesday, January 21, 2015 9:00 a.m.
StayBridge Suites, 1600 Summit Lake Drive
Tallahassee, FL**

Members Present:

Jennifer Cook Pritt, Designee for Commissioner Rick Swearingen, Florida Department of Law Enforcement (FDLE)
Robert Musco, Chief, Green Cove Springs Police Department
Carolyn Timmann for Clerks, Martin County Clerk of Circuit Court and Comptroller
Dennis Hollingsworth, Designee for Secretary Julie Jones, Department of Corrections (DC)
Don Eslinger, Sheriff, Seminole County
Hamilton Davies for Katherine Fernandez Rundle, State Attorney's Office, Eleventh Judicial Circuit
Stacy Scott, Public Defender, Eighth Judicial Circuit
PK Jameson, Office of State Courts Administrator (OSCA)
Lee Massie, Chief, Kissimmee Police Department
Larry Ashley, Sheriff, Okaloosa County
Gina Giacomo Designee for Tena Pate, Chair, Florida Commission of Offender Review (COR)
Scott Morgan, Designee for Secretary Christina Daly, Department of Juvenile Justice (DJJ)

Members Absent:

Carolyn Snurkowski, Designee for Attorney General Pam Bondi
Eleese Davis, Designee for Secretary Mike Carroll, Department of Children and Families (DCF)
Robert Fields, Designee for Terry L. Rhodes, Department of Highway Safety and Motor Vehicles (DHSMV)

WELCOME MEMBERS and OPENING

Chair Musco welcomed Council members and attendees.

Minutes of the August 21, 2014 CJJIS Council Meeting

Chair Musco requested approval of the minutes of the August 21, 2014, CJJIS Council meeting. Council members moved and seconded motion to adopt the August 21, 2014 minutes. Motion passed.

ITEM 1

Automated License Plate Readers (ALPR)

Deputy Director Charles I. Schaeffer
Florida Department of Law Enforcement
Information and Discussion

Chair Musco recognized Deputy Director Charles Schaeffer of the FDLE. Deputy Director Schaeffer briefed the Council on the retention language the Department of State (DOS) used for the ALPR Guidelines and the overall status of the ALPR Guidelines document in the rule making process. The ALPR Guidelines will be presented to the Cabinet for approval as a new rule. The new retention language is as follows:

LICENSE PLATE RECOGNITION RECORDS

This record series consists of license plate records created by license plate recognition systems. The series may include, but is not limited to, images of licenses plates and any associated metadata. These records may become part of a criminal investigative record or some other record series.

RETENTION: Retain until obsolete, superseded, or administrative value is lost, but no longer than 3 anniversary years unless required to be retained under another record series.

Action Item: One (1) week following the ALPR Guidelines' approval by the Cabinet as a new rule, the Council will have an electronic vote through email to affirm the ALPR Guidelines.

ITEM 2

Computerized Criminal History (CCH) Modernization Update

Information Systems and Services Administrator Mark Scharein
Florida Department of Law Enforcement
Information and Discussion

Chair Musco recognized Information Systems and Services Administrator Mark Scharein of the FDLE. Mr. Scharein updated the Council on the status of the CCH project. On July 31, 2014, FDLE released the Intent to Negotiate (ITN). Seven firms submitted proposals to the ITN, and of the seven firms submitting proposals, four firms were identified to move forward in the negotiation process. Negotiations were conducted from December 2-12, 2014, and following the December negotiations, three firms were invited to submit their Best and Final Offer (BFO). The deadline for the BFO submission to FDLE is Friday, January 23, 2015. FDLE will evaluate the final proposals and issue a Notice of Intent to Award the CCH Modernization contract on

Monday, February 23, 2015. FDLE and the selected contractor will then engage in final contract negotiations with an anticipated contract signing by mid-March 2015.

FDLE will name a new project manager for the CCH Modernization Project. Mr. Scharein will transition his project management responsibilities to the new project manager from now until the end of May 2015.

ITEM 3

2013 HB 1355 – Relating to Mental Health and a HB 1355 Working Group Update

Senior Management Analyst Supervisor Robin Sparkman
Florida Department of Law Enforcement
Information and Discussion

Chair Musco recognized Senior Management Analyst Supervisor Robin Sparkman of the FDLE. Ms. Sparkman briefed the Council on the new reporting requirements established in 2013 HB 1355. The extended reporting requirements apply to individuals who:

- Are involuntarily examined under the Baker Act;
- Are found to be in imminent danger to self or others;
- Meet criteria for involuntary commitment but are being permitted to transfer to voluntary;
- Are noticed of future firearm prohibition in writing and acknowledge such notice in writing; or
- Are under judicial review and finding.

To meet the needs of the stakeholders across the state, the HB 1355 Working Group was formed and committed to provide the following deliverables: work flow diagrams; frequently asked questions; and sample forms for use by receiving facilities, clerks of the court, the judiciary, and pro se litigants for restoration on rights. Informational training sessions were delivered by a panel in six locations across the state; the training was also recorded and posted on the Internet.

Outreach and improvements still continue. HB1355 materials are available on the Internet sites of the Department of Children and Families, the Florida Psychiatric Society and FDLE. Outreach has also occurred through training sessions at the CJIS Annual Training Symposium and the Florida Court Clerks & Comptrollers Conference. Additionally, improvements to the different electronic systems, such as the Mental Competency Application (MECOM) rewrite, which is the repository for court orders, and the interface between Comprehensive Case Information System (CCIS) 2.0 and MECOM to eliminate double entry are in process.

During discussion, Ms. Sparkman clarified that in the case of a Baker Act, only commitment is considered a disqualifying offense. The Act alone does not prohibit someone from purchasing a firearm. Only individuals who meet the criterial under HB 1355 and are adjudicated mentally defective or committed to a mental institution are prohibited from purchasing a firearm. Additionally, if an individual who is under the age to purchase a firearm meets the MECOM criteria, the underage individual will be entered into MECOM. When asked if rights have been restored, Ms. Sparkman stated that since 2010, the rights of approximately 50 individuals have been restored.

ITEM 4
Criminal Justice Information Systems (CJIS) Security Policy (CSP)

Government Analyst II Larry Coffee
Florida Department of Law Enforcement
Information and Discussion

Chair Musco recognized Government Analyst II Larry Coffee of the FDLE. Mr. Coffee briefed the Council on the primary concerns found by CJIS auditors across the state and across the nation. The seven primary problem areas, or hot topics, are:

1. Proper Disposal of Media – Agencies must have established policies in place that document the steps used to dispose of the media. The destruction/disposal can only be performed by authorized personnel, i.e., someone who meets the CJIS background screening criteria.
2. Security Awareness Training – All personnel with “access” to Criminal Justice Information (CJI) must have security awareness training. There are multiple levels of training, and the level of training is dependent on the type of access the individual requires.
3. Encryption - If data is outside of a CSP defined physically secure area, then the data must be encrypted. CJI must be encrypted whether at rest or in transit.
4. Advanced Authentication – Passwords meeting CSP criteria are required. Advanced authentication is also required except in the following situations: from within a CSP defined physically secure location or from inside an enclosed police vehicle; however, if the laptop is removed from the enclosed police vehicle, then it must adhere to advanced authorization protocol.
5. Personnel Screening – All personnel with unescorted access who may have access to CJI data, systems, or areas must undergo fingerprint-based personnel background screening.
6. Security Addendum (SA) – An SA is required if an agency contracts with a private entity to perform the administration of criminal justice. The SA must be added to the contract and include the SA Certification page. Personnel must adhere to the CJIS fingerprint background criteria and must take CJIS Online training. The contracted vendor must adhere to the CSP.
7. Management Control Agreement – A Management Control Agreement is required when a Non-criminal Justice Agency (NCJA) performs the administration of criminal justice. This can also be in the form of a directive for city governments. A NCJA must adhere to the CSP. Personnel must adhere to the CJIS fingerprint background/screening criteria, and the associated criminal justice agency must complete the screening. Personnel are also required to complete CJIS Online training.

Mr. Coffee stated that the Federal Bureau of Investigation (FBI) will audit FDLE in May along with several local agencies. Mr. Coffee also stated that although FDLE strives to work with non-compliant agencies to bring those agencies into compliance, FDLE ultimately has the obligation to remove a non-compliant agency's connection to FDLE.

ITEM 5
**Next Generation Identification (NGI) Interstate Photo System Policy
and Implementation Guidelines**

Deputy Director Charles I. Schaeffer
Florida Department of Law Enforcement

Action Item

Chair Musco recognized Deputy Director Charles Schaeffer of the FDLE. Deputy Director Charles Schaeffer briefed the Council on the final release of NGI which includes facial recognition. The facial recognition portion of NGI falls under the Interstate Photo System (IPS) and is overseen by the FBI's FACE Services Unit, which also houses the Quality Assurance Unit. Currently, the FACE Services Unit is transitioning IPS from a test to a production platform and that transition includes a cleanup of the data to ensure standards are maintained in the production system. The IPS will house both criminal and civil facial images; however, the FBI will not return a civil image on a criminal search. At this time, FDLE does not store civil photos. IPS will also house an Unsolved Photo File, which will contain images of unknown persons associated with unsolved crimes. Scars, marks, and tattoos (SMT) will be searchable by text only.

FDLE volunteered to be a test site for IPS, and to be accepted as a test site, the FBI had to train FDLE analysts on facial comparison. The FBI's facial comparison training is a requirement for all entities wishing to access IPS. Deputy Director Schaeffer stated that currently, access to IPS is limited to law enforcement only, but the FBI may open availability to others who have the need to search faces. Deputy Director Schaeffer also stated that if an agency is going to use IPS, that agency must adhere to the IPS guidelines, and mugshots must adhere to specific standards. The Council adopted the appropriate standards several years ago, and the majority of sheriffs' offices adhere to those standards.

The Council questioned and discussed the following areas:

- What are the costs of rolling IPS out to law enforcement agencies? The costs are minimal: a personal computer; workstation; and monitor. Some agencies may need upgrades to their systems. The FBI provides the software for free, and the connection to FDLE is through the CJNet.
- System access is limited to law enforcement only, but what about state attorneys or correctional facilities operated by the county sheriff's office? In order to access IPS, the facility must use a law enforcement Originating Agency Identification (ORI) number. A county corrections facility operated by a sheriff's office cannot search the images, but that facility can submit the properly formatted photos.
- Facial recognition training is a concern, especially the cost. Agencies cannot afford to send personnel to West Virginia for training.

Action Item: FDLE will research options on how the facial recognition comparison training can be rolled out. Consider the option of the FBI coming to Florida and providing the training regionally to local agencies.

- **Motion: Council member Jennifer Cook Pritt moved that the Council adopt the Interstate Photo System Guidelines with a caveat that we consider additional uses for criminal justice agencies in Florida. Seconded by Sheriff Don Eslinger.**

Deputy Director Charles Schaeffer explained that to submit photos, the agencies would send the images to FDLE, and FDLE would perform a quality assurance review before forwarding the images to the FBI. He reiterated that to search photos, the following is required:

- Must be a law enforcement agency;
- Must be an open case;
- Need software, which is supplied for free from the FBI;
- Certain workstation requirements;
- Configuration to FDLE through the CJNet; and
- Must be able to compare the results returned.

ITEM 6

Criminal Justice Information Services (CJIS) Annual Training Symposium

Chief of Policy Development and Planning April Cross
Florida Department of Law Enforcement
Information and Discussion

Chair Musco recognized Chief of Policy Development and Planning April Cross of FDLE. Ms. Cross briefed the Council on the 2015 CJIS Annual Training Symposium scheduled for July 14 – 16, 2015 at the Sawgrass Marriott in Ponte Vedra. This year's symposium will offer attendees a new format. Tuesday, July 14 will offer one hour sessions emphasizing best practices and new and emerging trends. Wednesday's schedule provides attendees with expanded training sessions on core topics. On Thursday, two two-hour sessions will be offered. The two hour sessions are intended for intensive training on specific topics. All of the sessions will be offered twice on the respective days.

There will be a pre- and post-symposium event. The pre-symposium event will occur on Monday afternoon and will provide training on Persons Entry. **The CJJIS Council meeting will be the post-symposium event. The CJJIS Council meeting is scheduled for July 16, 2015 at 11:00 a.m.**

The symposium registration fee is \$140.00, but will increase to \$165.00 on June 22, 2015. Registration will close on July 29, 2015. The hotel rate is \$107.00 per night. The reduced rate hotel block ends on June 22, 2015.

ITEM 7

Legislative Updates

Planning and Policy Administrator Mary Coffee and
Assistant Commissioner Jennifer Cook Pritt
Florida Department of Law Enforcement
Information and Discussion

Chair Musco recognized Planning and Policy Administrator Mary Coffee of FDLE. Ms. Coffee briefed the Council on 2014 SB 528, specifically what has been accomplished and the issues that were identified in the process. SB 528 expanded the information required of the registrants, such as palm prints; vehicle information, including roommates' vehicles; Internet identifiers; and transient and immigration information.

The implementation was smooth. FDLE communicated the changes on multiple levels. FDLE gave notice to associations and state agencies and notified registrations by mail and through email. All registry forms were updated to include English and Spanish.

Ms. Coffee offered the following points of interest derived from the implementation:

- Registrants did not like giving additional information on their vehicles, their roommates and the vehicles of their roommates. FDLE explained the information is for law enforcement use only and is not published.
- Registrants questioned or were confused on the expansion of Internet identifiers. Identifiers include email addresses, chat names, or any application on phone or computer that would allow a registrant to communicate with others socially. Internet identifiers may be registered online or at the sheriff's office in person.
- Law enforcement raised concerns about the submission of palm prints being an issue because the machines capable of capturing the palm prints are not co-located where the actual registrations take place. FDLE only needs one set of prints on file, not each time the registrant appears for registration. A yes/no field was added to the database that indicates if palm prints are on file.
- Law enforcement also raised concerns about the 30-day check in for transients. For the counties with large registrant populations, the 30-day requirement poses challenges.

Chair Musco recognized Assistant Commissioner Jennifer Cook Pritt of FDLE. Assistant Commissioner Pritt briefed the Council on FDLE's Legislative Budget Request (LBR). There are 18 priorities including, but not limited to:

- Additional personnel to cover increasing workloads, particularly in forensics;
- Crime lab security;
- Infrastructure improvements;
- Funding for the CCH project;
- ATMS enhancements;
- Standards and Training Trust Fund increase;
- Additional agents to work the deaths in Department of Corrections facilities and the officer involved shootings/use of force cases

ITEM 8

Judicial Inquiry System (JIS)

Information Resource Management Consultant Kimber Perkins

Office of State Courts Administrator

Information and Discussion

Chair Musco recognized Information Resource Management Consultant Kimber Perkins. Ms. Perkins provided the Council with a demonstration of JIS, a web-based application that meets CJIS Security Policy and secondary authentication requirements. JIS accesses multiple databases, including APPRIS, Comprehensive Case Information System (CCIS), Driver and Vehicle Information Database (DAVID), Florida Crime Information Center/National Crime Information Center (FCIC/NCIC), Department of Juvenile Justice, and the Department of Corrections – Florida only, and the system is capable of obtaining court documents from local jails and courts. JIS runs a query of the different databases and merges the data into a first appearance calendar for each county. The information received is not stored in a file.

Ms. Perkins stated that JIS is capable of running a query on persons who come to court after booking; however, due to funding limitations, not all counties have access. This feature can identify both in and out of state warrants.

ITEM 9
2015 HB 57/SB 248 – Relating to Law Enforcement Activities (Body Worn Cameras)

Deputy Director Charles I. Schaeffer
Florida Department of Law Enforcement
Information and Discussion

Chair Musco recognized Deputy Director Charles Schaeffer of FDLE. Deputy Director Schaeffer briefed the Council on the different technical issues and concerns associated with body worn camera video data, including storage, streaming capability and video sharing, and retention. Not all agencies have the financial ability or infrastructure to accommodate what may, in the future, be a legislative mandate.

Deputy Director Schaeffer briefed the Council on the benefits of FDLE becoming the central repository for all body worn camera videos. Benefits are identified as follows:

- Centralized location for all videos in the state of Florida – will need to determine if FDLE will be able to host all data or allowed to store some in the cloud;
- Able to comply with the stringent FBI CJIS standards required by law – will need to vet the encryption requirements through the FBI; and
- Economy of scale – one centralized repository will save a considerable amount of money throughout the state of Florida

Although it may be beneficial to task FDLE as the central repository, issues will need to be addressed if that is to occur. Deputy Director Schaeffer discussed the following issues:

- Must be funded legislatively;
- How to access videos;
- Must resolve speed and bandwidth questions; and
- Duration of storage or retention

Deputy Director Schaeffer reviewed the CJJIS Council's scope on this topic and recommended the Council focus on the technical issues and requirements. Deputy Director Schaeffer discussed the technical elements that the Council may need to address, such as:

- Use of the CJNet for video transmission to and from the repository;
- Use of the CJNet for video streaming between agencies, such as between the local law enforcement agency and the state attorney's office;
- Recommendations on governance and retention similar to the ALPR data; and
- Establishing of standards for capture and storage to ensure inter-agency compatibility

The Council discussed the issues Deputy Director Schaeffer presented and raised additional concerns, including privacy; who owns the data; duplication of storage; and redaction. Council members agreed that although the legislature may not mandate body worn cameras this year, the Council needs to get ahead of the issue, especially for the agencies who may not have the financial ability or infrastructure to address this in the future. Deputy Director Schaeffer suggested that the Council focus should be on the technical standards of the body worn camera topic, not the legal side.

- **Motion: Sheriff Ashley moved to direct a committee to explore: storage requirements; comparative analysis on in car versus body worn camera videos; technical issues and volume of data; and guidelines/best practices and standards, as agencies move forward. Also include a cost analysis of independent storage vs statewide storage. The motion was seconded and adopted.**

The records retention issue will be addressed by the Florida Sheriffs Association and Florida Police Chiefs Association Body Worn Camera Joint Task Force.

Action Item: Chair Musco asked Council members to provide staff to serve on the committee to be chaired by Sheriff Eslinger; the names and email addresses of committee members are to be submitted by February 4, 2015.

ITEM 10

Grant Funding Overview/Update

Chief of Planning and Performance Petrina Herring and
Project Manager E-Filing Portal Jennifer Fishback
Florida Department of Law Enforcement, Florida Court Clerks & Comptrollers
Information and Discussion

Chair Musco recognized Chief of Planning and Performance Petrina Herring of FDLE. Ms. Herring briefed the Council on the National Criminal History Improvement Program (NCHIP); the NICS Act Record Improvement Program (NARIP); and how the CJJIS Council Federal Funding Work Group coordinates the NCHIP and NARIP grant applications. The work group usually convenes in March following the federal grant announcement and availability of funds.

Chair Musco recognized Project Manager E-Filing Portal Jennifer Fishback of the Florida Court Clerks & Comptrollers. Ms. Fishback briefed the Council members on the Comprehensive Case Information System (CCIS) upgrade which is funded through the NCHIP. CCIS allows the sharing of court data among the clerks statewide and is available to federal, state, and local agencies.

Ms. Fishback stated that the goals of the project are to improve MECOM reporting and the timely transactions of data for criminal justice agencies. The upgrade of CCIS will allow for new case information to be input in real time and will expand the data elements. The upgrade will be in seven phases, utilizing NIEM standards.

ITEM 11

CJJIS Council Chair and Vice-Chair Appointments

Deputy Director Charles I. Schaeffer
Florida Department of Law Enforcement
Action Item

Chair Musco recognized Deputy Director Charles I. Schaeffer of FDLE who opened the floor for the appointments of the Chair and Vice Chair of the CJJIS Council.

- **Motion: Assistant Commissioner Jennifer Pritt nominated Chief Musco to serve for another year as Council Chairperson and Sheriff Don Eslinger to serve as Council Vice-Chair. Sheriff Larry Ashley seconded the nominations. Motion adopted.**

CLOSING REMARKS

Chair Musco recognized Deputy Director Charles I. Schaeffer. Deputy Director Schaeffer discussed the need to update the CJJIS Strategic Plan, last updated in 2009, and proposed working with a facilitator over a two-day period to develop the new strategic plan.

- **Motion: Sheriff Larry Ashley moved that the Council members meet and work with a facilitator on the strategic plan for two days in Tallahassee at the Staybridge Suites. Ms. Carolyn Timmann seconded. Motion adopted.**

Chair Musco recognized Captain Ed Posey for his service to the CJJIS Council and his service to the state of Florida.

Chair Musco recognized Deputy Director Charles I. Schaeffer. Deputy Director Schaeffer, in keeping with the plan of scheduling meetings one year in advance, suggested the first meeting in 2016 occur at the Staybridge Suites on January 20, 2016 at Staybridge.

Chair Musco thanked members for their attendance. The meeting was adjourned at 1:04 P.M.