

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

**MINUTES OF MEETING
Tuesday, November 27, 2007 – 10:00A.M.
FDLE Headquarters, 2331 Phillips Road
Tallahassee, FL**

Members Present:

Chair Marsha Ewing, Clerk of the Court, Martin County
Mark Zadra, Designee for Commissioner Gerald Bailey, Florida Department of Law Enforcement (FDLE)
Dave Kallenborn, Designee for Secretary Walter McNeil, Department of Juvenile Justice (DJJ)
Gene Hatcher, Designee for Secretary James M. McDonough, Department of Corrections (DC)
Elisabeth Goodner, Office of State Courts Administrator (OSCA)
David Johnson, Designee for Monica David, Chair, Florida Parole Commission (FPC)
Nelson Munn, Designee for Electra Bustle, Department of Highway Safety and Motor Vehicles (DHSMV)
Carolyn Snurkowski, Designee for Attorney General Bill McCollum
Mark Kohl, State Attorney, Sixteenth Judicial Circuit
Don Hunter, Sheriff, Collier County
Robert Musco, Chief, Green Cove Springs Police Department
Matthew Immler, Chief Boynton Beach Police Department

Members Absent:

Bob Dillinger, Public Defender, Sixth Judicial Circuit

WELCOME MEMBERS and OPENING

Chair Ewing welcomed council members and attendees, recognizing new council members Chief Matthew Immler, representing Boynton Beach Police Department, Chief Robert Musco, representing the Green Cove Springs Police Department, and Mr. Nelson Munn, representing the Department of Highway Safety and Motor Vehicles. Chair Ewing opened the floor to members to share updates of ongoing agency projects. Several members briefly shared their respective agencies most notable projects.

Minutes of the August 20, 2007 CJJIS Council Meeting

Chair Ewing requested approval of the minutes of the August 20, 2007, CJJIS Council meeting. The August 20, 2007, minutes were adopted.

**ITEM 1
Appointing CJJIS Council Vice Chairperson**

Ms. Marsha Ewing
Martin County Clerk of Court

Action Item

Chair Ewing opened the floor for discussion on the appointment of a Council Vice Chairperson.

- Motion: Council member Zadra nominated Council member Kohl to serve as Council Vice Chairperson. Council member Snurkowski seconded motion. Council member Kohl accepted nomination. Motion adopted.

**ITEM 2
CJNet Upgrade**

Mr. Joey Hornsby
Florida Department of Law Enforcement

Information Item

Chair Ewing recognized Mr. Joey Hornsby of the FDLE. Mr. Hornsby informed the Council that since the last Council meeting, as of November 27, 2008, 482 sites have been converted. The remaining 227 sites should be converted by mid-December.

**ITEM 3
Interstate Data Sharing (previously CJNet Expansion)**

Mr. Joey Hornsby
Florida Department of Law Enforcement

Information and Discussion

Chair Ewing recognized Mr. Joey Hornsby of the FDLE. Mr. Hornsby informed the Council that the International Justice & Public Safety Information Sharing Network (NLETS) application process has been completed and FDLE hopes to be selected as a pilot state. If chosen, grant funding is available for the project; it is unknown how much funding will be available to the states. FDLE and HSMV will work together to facilitate the project. Recently, FDLE and the Alabama Criminal Justice Information Center met to evaluate multi-agency and multi-state capabilities for issues pertaining to sexual offenders and natural disasters. This is another subject tied into interstate data sharing, Mr. Hornsby will provide an update of data sharing initiatives at the next Council meeting.

ITEM 4
CJJIS Council Legislation

Ms. Donna Uzzell
Florida Department of Law Enforcement
Action Item

Chair Ewing recognized Director Uzzell of the FDLE. Director Uzzell discussed including DCF on the CJJIS Council. Several years ago, Department of Children and Family Services (DCF) asked to become a criminal justice agency in the area of child protection investigations. The Florida Legislature designated DCF's child protection investigations area as a criminal justice agency. The Federal Bureau of Investigation (FBI), under the Code of Federal Regulations, CFR 28, stated DCF does not meet the national definition of a criminal justice agency. Under the Adam Walsh Act, persons working in child protection investigations should have access to national criminal history information in order to effectively perform their job. Agencies represented on the Council have a need to access various data housed by DCF. This is a great opportunity for data sharing with another type of group at the table.

- Motion: Council member Johnson moved to modify existing legislation to include DCF a seat on the Council. Council member Munn seconded motion. Motion adopted.

ITEM 5
Data Sharing Committee Update

Ms. Marsha Ewing
Martin County Clerk of Court
Information and Discussion

Chair Ewing discussed the Data Sharing Committee's first meeting. Chair Ewing asked Council members to submit names of representatives, if Council members have not already done so, to Rachel. The Data Sharing mission statement is to identify opportunities and develop strategies for data sharing, collaboration and efficiencies. The Data Sharing Committee assumed the responsibilities of the Telecommunications Work Group. The Data Sharing Committee will review existing applications on the CJNet and determine if the applications continue to meet the requirements for applications on the CJNet. FDLE member Mike Phillips developed a matrix to inventory data collected from all agencies. All data types will be based on the NEIM standard. The Data Sharing Committee will provide an update at the next Council meeting.

Council member Zadra asked to include on the matrix if the applications are agency developed and who is the agency contact. Mr. Phillips indicated that information would be beneficial and would include it in the matrix.

ITEM 6
Standards Committee Update
Mr. David Johnson
Florida Parole Commission
Information and Discussion

Chair Ewing recognized Council member Johnson who provided a status report on the Standards Committee. Council member Johnson asked the Council for standards that the committee should address first, if the standards should be mandated or recommended, and the availability of funds.

Director Uzzell discussed various standards exist that are mandatory, examples include fingerprints and NCIC. Director Uzzell noted that the FBI is going to support GJXDM for a period of time. A starting point may be to establish a standard for sending images, and palm prints.

FDLE member Charlie Schaeffer mentioned existing standards, NCIC and fingerprinting standards are established but continue to evolve. Mr. Schaeffer discussed the need to adopt standards that we can and have a process to review the evolving standards. FDLE will work with the Standards Committee to develop a list of standards and report to the Council.

Council members discussed the importance of adopting standards, particularly in the vendor arena. An advantage of adopting standards is that vendors know from a state of Florida perspective when building systems certain standards must be met, allowing data sharing between agencies' without significant system modifications.

Council members discussed utilizing the Standards Committee to assist with the development of agency systems. If an agency is developing a new system, the Standards Committee can review what currently exists and how to maximize it to benefit all agencies.

Action Item: Rachel to email Council members on Council member Hatcher's behalf asking for a workgroup to review DC's new system development.

ITEM 7
Leon County's Paperless Warrant System
Mr. Hermon Davis
Leon County JIS Coordinator
Information and Discussion

Chair Ewing introduced Mr. Hermon Davis representing Leon County MIS who presented an update on Leon County's Paperless Warrant System. Soon after implementation, Leon County saw the benefits of the system when a Tallahassee man was arrested in Arizona who was wanted for the murder of his girlfriend. The warrant was issued and entered into the Florida Crime Information Center and National Crime Information Center (FCIC/NCIC) databases within ten minutes. Advantages of the system include enhanced public and officer safety and reduction of human resources. Once the judge signs the warrant, the warrant is entered by Clerk of Court staff into the FCIC/NCIC databases. The paperless system took eight months to complete and Leon County estimates the system saves approximately two staff positions. Director Uzzell mentioned her visit to St. Johns County and the amount of time it took to enter warrants into local, state and

federal databases. The goal is to perform one query and drag and drop the information into the system.

<p style="text-align: center;">ITEM 8 Electronic Warrant Grant / Warrant Task Force Ms. Lisa Hopkins and Donna Uzzell Florida Department of Law Enforcement Information and Discussion</p>

Chair Ewing recognized Ms. Lisa Hopkins representing the FDLE who presented an update on the electronic warrant grant awarded to FDLE. Ms. Hopkins briefed the Council on FDLE's grant for conducting an electronic warrant feasibility study. The study will review current warrant environment and technology available to develop a statewide electronic warrant system. Goals of the study include a needs assessment, business process, cost benefit analysis for the process, risk assessment and analysis, and technology planning for system. FDLE plans on holding stakeholder meetings in April 2008 and completing the project in July 2008.

Director Uzzell mentioned FDLE convened a Warrant Task Force to address the importance of entering all warrants into National Crime Information Center (NCIC). Task Force consists of various criminal justice agencies and will provide guidance for the feasibility study grant. Some of the Task Force goals include eliminating the Florida only entry with the exception of juvenile pick up orders only and getting more information entered into NCIC. It was noted that, the Council, in the Jessica Lunsford Task Force recommendations, suggested a paperless warrant system.

<p style="text-align: center;">ITEM 9 FALCON Workgroup Update Ms. Jean Itzin Florida Department of Law Enforcement Action Item</p>

Chair Ewing introduced Ms. Jean Itzin representing the FDLE who presented an update on the FALCON Workgroup. The Workgroup suggests splitting the booking as a separate event in the Computerized Criminal History database. Subjects are arrested, fingerprinted and the fingerprints submitted to FDLE via using livescan equipment. The current criminal history file equates the booking/fingerprinting with the arrest. What we have been told by Workgroup members is that the fingerprint or booking event is not the same thing as an arrest for them locally. Each arrest affidavit is considered to be a separate arrest. Each arrest generally has a separate court case number assigned.

While incarcerated, additional charges are sometimes placed against the subject by law enforcement or by the state attorney. In some cases these charges are added to the current arrest, but in many instances, the additional charges are actually a new arrest. There is a new arrest affidavit and a new court case number assigned. FDLE's current procedures allow for law enforcement agencies either to re-fingerprint the subject, which creates a new arrest cycle in the CCH, or to submit an agency correction form to FDLE so that the additional charges can be added to the subject's previously submitted arrest fingerprint submission. This can result in a criminal history record that does not accurately reflect the local processing of the subject. FDLE will subsequently receive disposition data from the Clerk of Court that cannot be entered into the CCH, either because the arrest charges were not added to CCH or the date of arrest on the arrest affidavit and court documents is different than the arrest date in CCH.

Each booking would have to be supported by at least one arrest charge. While the subject is still incarcerated, the Workgroup recommends that the arresting agency be allowed to submit additional arrests and charges, with different dates, without fingerprinting the subject again. Once the subject is released, any new arrests would have to be supported by a new booking/fingerprinting. This will allow the CCH to accurately reflect what is occurring locally, and it will facilitate better matching of court data to arrest data in the state file. The dispositions submitted by the clerks of court would identify both the booking event and the arrest events.

- Motion: Vice Chair Kohl moved to endorse the concept of the booking being a separate event in the CCH, defined as the fingerprinting of the arrested subject. Council member Hunter seconded motion. Motion adopted.

Currently, there are certain statutes that allow crimes committed under specific circumstances to be prosecuted at either a higher or lower the level/degree than the base offense. These include such things as wearing a mask or a bulletproof vest while committing an offense, hate crimes, use of a firearm while committing a crime, facilitating or furthering terrorism, which increase the level/degree, or attempt, solicit or conspiracy, which can decrease the level/degree. In each case, these statutes do not create a stand-alone offense, but they allow the level and degree to be reclassified for prosecution and sentencing. Multiple reclassifiers can apply to a single offense. For example, wearing a mask *and* using a firearm while committing a crime.

FDLE was asked to include these reclassifier statutes in its arrest statute table used at booking. This means that the reclassifier now appears to be a separate offense, and FDLE occasionally receives criminal fingerprint submissions with *only* the enhanced penalty statute listed. A reclassifier statute should always have a companion offense.

The FALCON Workgroup is recommending that a separate field be created in the livescan record. This will allow the booking agency to note that the subject was arrested and is being charged for the commission of a crime which may involve circumstances that would allow the crime to be reclassified. This means that we would also create a separate field in the future Computerized Criminal History file to reflect the offense reclassifiers. These fields would be carried forward into the prosecutor and court data in the CCH.

- Motion: Council member Hunter moved to endorse the creation of a separate field to capture reclassification statutes in livescan and criminal history records. Vice Chair Kohl seconded motion. Motion adopted.

Currently, local agencies arrest and fingerprint subjects for violations of city and county criminal ordinances when there is a comparable state statute. In the state statute number field, a special livescan code is used to indicate that the violation is a city or county criminal ordinance. The arrest data is then added to CCH. When FDLE disseminates a criminal history record, the arrest reflects a city or county ordinance, but the description of the arrest charges is not a part of the current system. As of October 31, 2007, a total of 50,133 city and county ordinance violation arrests are in the current Computerized Criminal History system.

This issue was discussed by the FALCON Workgroup and the recommendation was made to create a separate field so that these ordinance arrests would not be entered in the state statute field and then a “free text” field could allow a description of the charge. This field would allow local agencies to enter specific details regarding the violation(s) and would be used at the discretion of the entering agency. The additional description from the “free text” entry regarding the specific city or county ordinance violation(s) would provide all users of criminal history records with a more complete record with additional information not currently available.

- Motion: Vice Chair Kohl moved to endorse the concept of creating separate fields to identify ordinance arrests and a “free text” field in livescan equipment and in criminal history records for city and county criminal violations to be defined at the discretion of the entering agency. Council member Hunter seconded motion. Motion adopted.

ITEM 10
Procurement of Livescan Devices
Mr. Charlie Schaeffer
Florida Department of Law Enforcement
Information & Discussion

Chair Ewing introduced Mr. Charlie Schaeffer representing the FDLE who presented an update on the Department of Management Services (DMS) state contract for the procurement of livescan devices. The beginning of the year FDLE entered into an agreement for the purchase of livescan devices. Both state and local agencies who want to procure devices no longer have to go to a single vendor and do not have to negotiate prices. FDLE anticipates the first use will be for domestic security grant funding for mobile edge devices.

ITEM 11
Florida Highway Patrol’s Rapid ID Pilot
Major Steve Williams
Florida Department of Highway Safety & Motor Vehicles
Information & Discussion

Mr. Schaeffer representing the FDLE provided an update on the Rapid ID pilot. The Rapid ID project will be in full production in the summer of 2008. A portion of the project was implemented early due to Jessica Lunsford Act requirements for sexual offender registration. The FBI would like to pilot a program with several states, including Florida, titled the Repository of Individuals of Special Concern (RISC). It is a select group of sexual offenders, outstanding warrants and known and suspected terrorists.

Mr. Schaeffer introduced Major Williams representing the HSMV - Florida Highway Patrol (FHP) who provided an update on the Rapid ID Pilot project. FHP is currently using Rapid ID with five troopers. Major Williams demonstrated the Rapid ID device to the Council members and indicated the system allows management to view each device activity.

Council members can contact Rachel Truxell if they would like a demonstration of the Rapid ID system.

CLOSING REMARKS

Chair Ewing thanked members for their attendance. The meeting was adjourned at 1:45 P.M.