

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

**MINUTES OF MEETING
Wednesday, July 7, 2004
Tallahassee, FL**

Members Present:

Chair Marsha Ewing, Clerk of the Court, Martin County
Vice Chair, Richard Roth, Sheriff, Monroe County
Donna Uzzell, Florida Department of Law Enforcement
Jackie Suttle, Designee for Secretary Anthony Schembri, Department of Juvenile Justice
Scott McPherson, Designee for Secretary James V. Crosby, Department of Corrections
Dorene Thomas, Chief, Pinellas Park Police Department
Carolyn Snurkowski, Designee for Attorney General Charlie Crist
Mike Love, Designee for Elizabeth Goodner, State Courts Administrator
Nancy Daniels, Designee for Bob Dillinger, Public Defender, Sixth Judicial Circuit
Dan Zinn, Designee for Barry Krischer, State Attorney, Fifteenth Judicial Circuit
John Douglas, Designee for Monica David, Chair, Florida Parole Commission
Raymond Marsh, Designee for Director Fred O. Dickinson, Department of Highway Safety and Motor Vehicles

Members Absent:

William Berger, Chief, North Miami Beach Police Department
Rodney Shoap, Sheriff, Lee County

WELCOME MEMBERS and OPENING

Chair Ewing welcomed members and introduced Chief Dorene Thomas of the Pinellas Park Police Department, Chief Information Officer John Douglas of the Florida Parole Commission and Director Donna Uzzell of the Florida Department of Law Enforcement as the newest members of the Criminal and Juvenile Justice Information Systems Council. Chair Ewing opened the floor to members to share updates of ongoing agency projects. Several members briefly shared their respective agency's most notable projects, including the impact of Article V of the state constitution.

Minutes of the October 9, 2003 CJJIS Council Meeting

Chair Ewing requested approval of the minutes of the October 9, 2003 CJJIS Council meeting. One correction was requested regarding the name spelling of agenda item 3 presenter, Roger Alderman. The

minutes were approved. Chairman Ewing advised council members that the 2005-2009 CJJIS Council Strategic plan has been submitted to the Governor's Office.

ITEM 1
INTEGRATED CRIMINAL HISTORY SYSTEM

Mr. Tom Watkins
Florida Department of Law Enforcement
Information and Discussion

Chair Ewing introduced Mr. Tom Watkins of the Florida Department of Law Enforcement to provide a status report and update on the Integrated Criminal History System (ICHS). Mr. Watkins greeted members and advised that he would bring the council up to speed and provide an overview and progress report of ICHS. Mr. Watkins advised the council that since its last meeting, several updates have taken place within the project. The ICHS County Assessment Plan(CAP) is complete and a report has been produced which identifies specific actions that local and criminal justice agencies will need to take in order to successfully connect to the new system. Mr. Watkins stressed the importance of the CAP because it places counties and agencies on notice of future connection requirements.

Mr. Watkins reviewed for members ICHS vision, which will be a modular integrated online-transaction oriented system for retrieving a subject criminal history based on biometrics for positive identification and accessing multiple databases. The primary system objective of the new system is quality of service to three groups: the criminal justice community, additional agencies and citizens who rely on this information to make business operations decisions.

ICHS will replace two current operating systems: the Automated Fingerprint Identification (AFIS) and the Computerized Criminal History (CCH) system. The reasons both AFIS and CCH will be replaced are architecture and capacity. The new system will expand its availability and replace old outdated equipment and systems that will eventually cost more to maintain. ICHS will provide an infrastructure and portal for multiple database access.

Mr. Watkins reviewed past contract negotiations and agency feedback regarding system requirements and workgroup needs assessment. There are also several sub-projects occurring within ICHS such as data cleansing of existing criminal history records, microfilm media conversion to digital form, FBI imagery retrieval requirements, and the data integration contract with Science Applications International Corporation (SAIC). SAIC is the main contractor which will be developing and implementing the ICHS system. Mr. Watkins provided a review of the graduating contract phases of ICHS including design phase, build two through four and Bridge AFIS, initial operational capability and final operational capability. The cost of the original contract for ICHS is \$37.5 million: Mr. Watkins provided the council with a review of changes and progress of the various project phases.

Mr. Watkins provided a review of the CAP process and the assessment feedback from customers such as clerks, sheriffs, etc. via regional meetings, as well as features requested from customers and the required funding necessary. Mr. Watkins advised that the Livescan devices will be the critical factor in biometric identification and reviewed the importance of replacement of old devices in order to interface with the new ICHS system. Mr. Watkins displayed a county map illustrating the stages of development regarding ICHS capabilities for each respective county, and discussed the various performance issues of each capability category. Mr. Watkins added that the information concerning the upcoming changes regarding the ICHS system has been delivered to those who will be impacted, in order for these agencies to take necessary action in preparation. The ICHS system requires participation from the local agencies. The ICHS budget does not allow for local funding, this was a mandate to FDLE which prohibits obtaining

local funding through its budget request. Thus the importance of getting the message out via the assessment and workgroups regarding the requirements and costs.

Council member Donna Uzzell reminded the council that the original cost estimate for the local devices needed to submit data to ICHS was much higher when it was initially presented to the legislature and the appropriation was passed (\$11 million). Since that time, the price has come down considerably due to changes in workflow, competition and modifying the system in order to submit from many different types of devices. The current estimate on Livescan is approximately \$4 million. Ms. Uzzell stated that although FDLE is prohibited from asking for additional funding, the policy decision was made when the cost estimates were much higher. This may be something other agencies may want to address in the upcoming legislative session. Also, the \$4 million figure is for replacement of livescan devices only, not additional equipment or add on features. Council members continued to discuss the funding issues as they relate to replacing Livescan devices at the local level. Council member Mike Love requested Mr. Watkins report back to the council on survey results regarding agency inventories of equipment needed for initial requirements in order to electronically submit original arrest record information.

- Motion: Council member Dan Zinn moved to create a recommendation to the legislature requesting future funding by the state for initial Livescan costs to local agencies. Motion carried.

Mr. Watkins briefly reviewed future plans regarding ICHS, in particular the integration with federal and local law enforcement databases.

ITEM 2 TELECOMMUNICATIONS WORKGROUP
Mr. Kevin Patten Florida Department of Law Enforcement Action Item

Chair Ewing introduced Mr. Kevin Patten, Chairman of the Telecommunications Workgroup. Mr. Patten reviewed the responsibilities and mission of the workgroup for the benefit of new council members. Mr. Patten described the submittal and approval/denial process of proposed data provided by participating CJNet agencies.

Mr. Patten reported on a current issue the workgroup is facing regarding agencies that submit and subsequently become approved to provide an application over the CJNet. The problem arises when certain approved applications over time begin to consume more bandwidth and create a burden on the network. In response to this issue, the workgroup decided to modify the applicant request process, and this change form must be approved by the CJJIS Council. The workgroup included an additional change in the applicant request form in order to notify the Telecommunications Workgroup of any changes in the application and notify if the application will be discontinued. The new form will also include a network drawing and explanation of bandwidth utilization. Lastly the workgroup requested a modification to the applicant request form to include the CJNet network application guidelines, stating the need to develop browser based applications using very low bandwidth.

- Motion: Council member Carolyn Snurkowski moved to approve the changes to the CJNet Applicant Request Form and process recommended by the Telecommunications Workgroup. Motion carried.

Mr. Patten provided an encryption update and the progress of replacing network routers. Mr. Patten advised the council that all existing routers in the field have been replaced. The equipment which will allow FDLE to begin encrypting by September 30, which is the target date for completion. Upon this installation, FDLE will complete its task of providing encryption to the local level as provided in the FBI Security Policy. Mr. Patten reminded members that if their agencies then take the encrypted data and transmit it over other networks such as city or county wide area networks, it too must be encrypted.

- Motion: Council member Scott McPherson motioned that the CJJIS Council support those legislative budget requests from impacted agencies for assistance in upgrading their wide area networks in order to comply with the FBI Security Policy. Motion withdrawn pending next council meeting.

Council member Uzzell requested clarification regarding which impacted agencies the motion supports, specifically state agencies only or all agencies. Mr. McPherson clarified that the motion would cover any agency which is impacted by the encryption process. Council members discussed at length the various funding and local implications of encryption. The council agreed to review new data gathered by the Telecommunications Workgroup regarding statewide agency encryption costs and options.

ITEM 3
IDENTIFIED PERSONS' NOTIFICATION SYSTEM
Comprehensive Case Information Systems

Mr. Greg Brock
Florida Association of Court Clerks
Information and Discussion

Chair Ewing introduced Mr. Greg Brock for an update on the Comprehensive Case Information System (CCIS). Mr. Brock reviewed the goals of CCIS and projected the future addition of the 36 remaining court offices with criminal, probate, civil, juvenile, traffic. CCIS funding was approved during the last legislative session and the CCIS project team is reviewing other options for integrating with ICHS and the Department of Corrections database to provide additional data.

Mr. Brock briefed the council on a current CCIS pilot project with FDLE Office of Statewide Intelligence. The results of this project will trigger a notification to FDLE when a known fugitive name has been entered into the CCIS system. Mr. Brock demonstrated and discussed several search result pages of the CCIS program and advised the council that CCIS is a web based, low bandwidth system. Several council members discussed the importance of CCIS as it pertains to warrant checks and closing the information loop between courts and law enforcement. Council member Dan Zinn identified several unintended obstacles to data integration that continue to arise, such as duplicate subject names and the current inability of systems to identify these subjects in a uniform method. Council members agreed that the quality of data and a possible unique identifier is key to successfully integrating future databases. Mr. Zinn and Mr. Wayne Quinsey of FDLE agreed to research and explore options regarding the future of quality of data issues.

ITEM 4
PUBLIC DEFENDER ACCESS TO CJNET

Mr. Bob Dillinger
Florida Public Defenders Association
Action Item

Chair Ewing introduced council member Mr. Bob Dillinger to discuss Public Defender access to CJNet. Mr. Dillinger referred members to page 17-19 of the agenda, requesting public defenders be placed back on the CJNet. Mr. Dillinger reviewed the background of CJNet and the participation of public defenders in the early phase of the networks history. Over time, concerns arose that sensitive law enforcement information would be wrongfully accessed, and a certificate based interface was established in order to provide specific access by the various agencies which provided their data. The decision to approve or decline a certificate applicant would fall on these agency owners of the data. This certificate based system would limit information access only to those entities which were approved, thus solving the dilemma of public defenders gaining access to potentially sensitive information. Mr. Dillinger stated that this certificate process has been completed and the public defenders should be allowed back on CJNet per Florida statute 943.0544(3). Mr. Dillinger advised that he has corresponded with several public defenders offices which are spending large amounts of money in order to access public record information, which should already be available via CJNet access.

Mr. Dillinger advised the council that legislative intent has been discussed in the past and FCIC access has been granted, however with the recent passage of SB 2962(F.S. 29.0086) the intent is clear that access should be granted. Mr. Dillinger also referred to an August 1998 FDLE memo describing CJNet access, stating additional participants should include multiple court agencies including the public defenders.

- Motion: Council member Bob Dillinger moved that the CJJIS Council approve public defender access to the CJNet per Florida statute of 943.0544(3). Motion withdrawn.

Council member Uzzell requested to clarify a few points raised by Mr. Dillinger regarding public defender access to CJNet. The original public defenders which had access previously were there by mistake due to a technical error, that being when the network was installed in that county, it granted all county entities, including the public defender. Ms. Uzzell stated that in regards to the motion, FDLE maintains its position that the statute does not allow FDLE to provide public defenders access to CJNet. Ms. Uzzell referred to FDLE General Counsel Michael Ramage to elaborate on the reasons for this position.

Mr. Ramage advised the Council that FDLE believes that public defenders occupy a unique responsibility within the justice system, however are ethically bound to their client. Mr. Ramage further stated that public defenders do fit into the criminal justice system, however do not have the duties and responsibilities to the public which criminal justice agencies are mandated. Therefore due to public defenders attorney/client relationship there is very little information that can be shared via the system designed for use in the law enforcement community. Council members discussed various CJNet information sharing options reviewed in the past. Council member Uzzell suggested contacting the three agencies which the public defenders request access (DOC, DJJ and DHSMV) and review options for public defenders access to their databases. Ms. Uzzell suggested forming a workgroup in order to address public defender direct access to these databases by means other than CJNet, such as a virtual private network. Council members debated at length the various options and interpretations of legislative intent regarding public defender access to CJNet.

- Chair Ewing established the Public Defender CJNet Access (PDCA) Workgroup. Council members volunteering for the PDCA Workgroup: Mike Love, Donna Uzzell, Bob Dillinger, Raymond Marsh and a representative from the Department of Juvenile Justice.

The PDCA Workgroup will explore the options of obtaining database access for the public defenders as soon as possible and may utilize the Telecommunications Workgroup as a technical resource in the future.

ITEM 5

Law Enforcement National Data Exchange (N-DEx)

Ms. Jean Itzin and Mr. Michael Ramage
Florida Department of Law Enforcement

Information and Discussion

Chair Ewing introduced Ms. Jean Itzin of FDLE to discuss the Law Enforcement National Data Exchange (N-DEx). Ms. Itzin advised the council that N-DEx is an incident or event based information sharing system for local, state, tribal and federal law enforcement agencies, which securely collects and processes criminal data in support of investigations, crime analysis, law enforcement administration, strategic/tactical operations and national security. Ms. Itzin advised the council that N-DEx development is moving quickly, which does not provide many opportunities for feedback and input. The vision is that the N-DEx warehouse will store every event/arrest report generated from every law enforcement agency in the United States. Included in these reports are subject identification information and comparisons of this data to various existing data files such as NCIC hotfiles, III, ATF Brady file, Illegal Alien file, as well as comparisons to other N-DEx event files. Ms. Itzin described the various reports, search capabilities and notification options available to investigators utilizing N-DEx. Ms. Itzin described the various methods of information submittal from local agencies, as well as the policy discussion and changes presently occurring. Ms. Itzin advised the council of several concerns stemming from the N-DEx system, specifically the massive scope of N-Dex as well as the technical access problems and data quality issues. Ms. Itzin introduced Mr. Michael Ramage to brief the council on the legal ramifications of N-DEx.

Mr. Ramage reviewed several universal principles of information gathering and sharing, as well as limitations and security standards of information systems dealing with personal identification information. Currently the N-DEx system is under development, therefore no prototype has been released for review and scrutiny as they pertain to these principles. Mr. Ramage briefed the council on several issues that may arise regarding information submittal conflicting with local or state laws or polices. Council members discussed the significance of such a system and would like to be informed of new developments regarding the N-DEx system.

CLOSING REMARKS

Chair Ewing thanked members for their attendance and asked members to review informational items in the remainder of the agenda packet. Chair Ewing also asked members to be aware of the scheduling of a second council meeting by the end of 2004. Chair Ewing adjourned the CJJIS Council meeting.