

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

**MINUTES OF MEETING
Tuesday June 19, 2002
Tallahassee, FL**

Members Present:

Chairman Daryl McLaughlin, Assistant Commissioner, Florida Department of Law Enforcement
Dave Kallenborn, Designee for Secretary Bill Bankhead, Department of Juvenile Justice
Scott McPherson, Designee for Secretary Michael Moore, Department of Corrections
Carolyn Snurkowski, Designee for Attorney General Bob Butterworth
Robin Lubitz, State Courts Administrator
Rodney Shoap, Sheriff, Lee County
James Chambliss, Designee for Chief Raul Martinez, Miami Police Department
Bob Dillinger, Public Defender, Sixth Judicial Circuit
David Crawford, Chief, Cocoa Police Department

Members Absent:

Richard Roth, Sheriff, Monroe County
Vice Chairperson Marsha Ewing, Clerk of the Court, Martin County
Mike Francis, Information Services Administrator, Florida Parole Commission
Dan Zinn, Designee for Barry Krischer, State Attorney, Fifteenth Judicial Circuit
Randy Esser, Designee for Executive Director Fred O. Dickinson,
Department of Highway Safety and Motor Vehicles

WELCOME MEMBERS and OPENING

Chairman McLaughlin welcomed members and recognized several guests from the Legislature who were in attendance. Due to the first speaker's tight schedule, opening remarks were kept to a minimum. The minutes of the meeting were held for later approval. Chairman McLaughlin noted that a quorum for the CJJIS Council was present.

ITEM 1
Enterprise Judicial Information System Pilot Project
Honorable Charles A. Francis

Chairman McLaughlin introduced Charles A. Francis, Circuit Judge in the 2nd Judicial Circuit and the chairman of the State Trial Court Technology Committee. Chairman McLaughlin asked that Judge Francis introduce the purpose of the Enterprise Judicial Information System Pilot Project to the Council.

Judge Francis discussed his experiences as a judge and the difficulties he has obtaining the information he needs to make decisions on the bench. As a part of its original mission, the State Trial Court Technology Committee held sessions in each court division throughout the state to assess the current level of information sharing and to identify sources of information that might assist the judiciary in making scheduling, pretrial and sentencing decisions. Participants in these meetings included Public Defenders, State Attorneys, Court Clerks, the Department of Education and the Department of Children and Families (DCF), among others.

The Committee reviewed the JNet program in Pennsylvania. This judicial information system allows inquiries into existing local and statewide databases that can assist judges in performing their tasks more efficiently. A single inquiry can access multiple databases at multiple agencies and return information within seconds. Making data readily available to judges can save the state money, since a lack of information causes delays, and uses resources, including the time of judges, other court personnel, witnesses, etc. Judge Francis expressed the opinion that such an information system would not serve just the judges, but could be extremely valuable to a wide variety of other entities.

The vision that was developed is of a secure system of accessing data held by different agencies, which would retain control over their data and access to it. Judge Francis stated that the judges do not want to get any data they are not already authorized to receive. In the initial pilot of the Enterprise Judicial Information System, seven agencies have been identified as data sources: Department of Corrections, Department of Juvenile Justice, Department of Law Enforcement, Department of Highway Safety and Motor Vehicles, Leon County Sheriff's Office, Department of Children and Families, Office and Leon County Court Clerk.

By October 1st of this year the Committee is to identify the data elements required, the agencies having the required information and the best method of retrieving and sharing the information. The Committee will present its findings to the Supreme Court for final review. Judge Francis stated that the success of the project would be greatly enhanced by the endorsement and assistance of the Council and its agencies, considering the current success of the information that is shared on the CJNet, and the information presently maintained by the agencies represented by the CJIS Council.

Council Member Bob Dillinger asked if video conferencing would be part of this effort, since there are many separate systems currently in use, which cannot communicate with one another and are expensive to maintain. Council Member Carolyn Snurkowski stated that the big picture described by Judge Francis is great, but she foresees problems in implementing,

especially with the diversity of computer systems and varying levels of technology in the courts around the state. Judge Francis agreed with Chairman McLaughlin when he stated that information must be automated at its source, but added that there is now a lot of information that is automated and could become more accessible through this project.

Council Member Scott McPherson mentioned that FDLE is working on the JANUS Project that ties jail management and county bench warrant systems together. Phase I is completed and the state has received a commitment for a one million-dollar grant from the National Governors Association and the Justice Department. Six hundred thousand dollars of that would go directly to the completion of the JANUS Project, which follows a similar philosophy – not recreating data but accessing it at its source.

Mr. McPherson continued, discussing that when Article V goes into effect in July of 2004, counties will continue to be responsible for funding their “communications needs.” A change in the law would be required in order for the state to appropriate money for these communications systems, whose definition is inclusive of everything from a pager to a server. Judge Francis responded that the basic system is already funded for the pilot.

Council Member Robin Lubitz advised the project described by Judge Francis might not solve all problems, but would be able to improve access to information already available. It can benefit all criminal justice agencies, not just the judiciary.

Chairman McLaughlin observed that Judge Francis, Mike Love and others have discussed this issue for some time. Everyone recognizes the value of the CJNet, but there are data sources currently not available. The effort Judge Francis described will benefit everyone. The CJJIS Council is very interested in this pilot project and appreciates the opportunity to be informed and involved.

Minutes of the July 18, 2001 CJJIS Council Meeting

Chairman McLaughlin called attention to the minutes from the previous CJJIS Council Meeting (July 18, 2001), which were adopted without objection.

ITEM 2

Legislative Updates & Significant Ongoing Projects

Department of Highway Safety and Motor Vehicles

Florida Department of Law Enforcement

Florida Department of Corrections

Florida Department of Juvenile Justice

Ms. Sandra Lambert, Director, Division of Driver Licenses, Department of Highway Safety and Motor Vehicles, addressed the Council with a summary of the legislative actions and proposed changes for the Department. Budgetary items significant to Domestic Security

since September 11 include security cameras for all 130 Driver License (DL) offices and having large safes in each office which house monies, supplies and holograms. DHSMV has already been funded for on-line Social Security Number verification and an automated law enforcement referral process.

When a DHSMV examiner has reason to believe there are questionable or fraudulent documents being presented, a code put into their system will activate an alert that will go to the fraud unit in Tallahassee. DHSMV anticipates the next step in this process to be an immediate alert to law enforcement that the examiner has someone in his or her presence that requires immediate law enforcement attention.

This year the Legislature passed Senate Bill 306 enhancing the penalty for the sale, manufacture or delivery of a fraudulent or counterfeit DL or identification (ID) card. The main bill passed for the DHSMV concerning security is Senate Bill 520 on ID requirements. This bill codifies procedures that began according to an Executive Order from the Governor after September 11, dealing with non-US citizens. Their DL or ID will expire when their legal status in this country expires. DHSMV will not issue DLs or IDs to non-citizens until the validity of all documents is determined. The legislative budget also provided funding for scanning equipment to be installed at all DL offices so that these documents can be captured and stored.

Another issue resolved was that of reciprocity between Florida and other states having laws with less stringent ID requirements. Senate Bill 520 states that Florida will not accept any DL or ID card from any states that don't have equal or stronger laws in place. This bill also provides authority for the use of fingerprinting or other biometric identifiers. Within the next few weeks DHSMV will select a vendor and proceed with presenting proposals to the Governor and Cabinet and then to the Legislature. The only two options being considered at this time are facial recognition and fingerprinting.

Presently the CJNet provides access to only the most recent digital images (DL photos). On July 1, 2002 that will be expanded to all digital images on file including DL. DHSMV intends to add the scanned non-citizen documents to the information available on CJNet. There will be multiple search options, for individual records as well as for groups of records, e.g., all passports from a designated country.

Chairman McLaughlin commended DHSMV for their great work.

Ms. Brenda Owens, Chief Information Officer of the Florida Department of Law Enforcement, informed the Council members of five major legislative actions affecting the criminal justice community statewide.

HB 727 deals with Domestic Security for the state of Florida and calls for FDLE to coordinate the response to terrorism. It authorizes the creation of the Regional Domestic Security Task Forces and the Counter Terrorism Intelligence Center. The domestic security initiative also includes the establishment of a Florida Infrastructure Protection Center, and the creation of the ThreatNet application for sharing intelligence information about terrorism

and domestic security. Chairman McLaughlin commented that this application was on-line within 45 days of the passage of the bill.

CS/HB 1673 restricts the release of Social Security numbers held by government agencies to the public. Certain business entities will be able to receive this data. The implementation date is October 1, 2002.

HB 841 amends the original sexual predator bill and requires notification if a sexual predator is working at or attending a college or university campus. FDLE is prepared to implement this bill in mid-June. The sexual predator system is programmed to notify law enforcement agencies associated with those educational establishments.

SB 434 is designed to assist Clerks of Court to identify potential jurors who are ineligible to serve based on a criminal record. The Clerk can submit data on a set of potential jurors to FDLE for criminal history background checks, which will be returned to the Clerk using CJNet. The Clerk will then review the data returned to determine eligibility to serve as a juror. The implementation date is October 1, 2002. Council members had questions about what data will be returned, turn-around time and how eligibility decisions will be made.

SB 90 and 554 require FDLE to create a career offender system, to be fashioned after the current sexual predator system available on the Internet.

Ms. Owens provided the following status report on previous legislation brought before the Council.

The Capitol Police was officially transferred to FDLE as a Program office. Scotty Sanderson is the Program Director.

The Civil Workflow Control System (CWCS) program began as the Seaports project and was implemented January 2002. Livescan is now available at each seaport. Applicant record checks are electronically relayed to FDLE and forwarded to the FBI with a 48-hour or less response time back to the seaport. Other state agencies needing immediate background check responses can get them through CWCS. In 2002, the Department of State worked with the Legislature obtaining approval to provide livescan machines for the Sheriff's Offices, particularly for weapons permits. Dramatic expansion is expected with this system in the next year.

Chairman McLaughlin complimented Mr. Tom Watkins and stated that FDLE seized an unprecedented opportunity to provide better service to non-criminal justice agencies without impacting the criminal justice process, and with no additional funding. CIO Owens stated that the Department of Children and Families is expected to be a major user of this service.

Chairman McLaughlin recognized Council Member Scott McPherson. Council Member McPherson stated he is technically the Department of Community Affairs representative, but wanted to comment on a couple of issues; one being the joint initiatives between the State Technology Office (STO) and the Florida Department of Law Enforcement (FDLE). The

FDLE and STO share the responsibility for monitoring the critical infrastructure, responding to certain computer crimes and auditing/ensuring information security. The Office of Information Security won a National Award (one of fifteen) from the Center of Digital Government.

House Bill 727 requires state agencies to submit disaster recovery plans to the Division of Emergency Management, Department of Community Affairs (DCA). The Department of Corrections (DC) has been in negotiations and discussions with the STO regarding taking jurisdiction of the IT agency disaster plan. Proviso language may transfer many of the administrative functions of the Parole Commission to the DC.

Mr. McPherson also discussed the video-conferencing project, which has the goal of eliminating transportation costs for prisoners returning to court for post-conviction hearings. The STO is also working with the St. Petersburg Police Department on their facial recognition project as well as the LBR on the technology refresh and licensing for updated software that is expected to address security issues in Windows 95 and 98.

Chairman McLaughlin recognized Council Member Dave Kallenborn from the Department of Juvenile Justice (DJJ) who relayed to the Council that DJJ has been working on a mobile wireless computer project with the Jacksonville Sheriff's Office. The project objective is for employees to have the ability to access basic DJJ data (reduced face sheets) when not in the office. DJJ hopes to eventually use the CJNet as a vehicle. Also DJJ is working on a project with the Broward County Sheriff's Office, which makes juvenile information (probationary and home detention) available to patrol officers. DJJ is also working on an enhanced bed management system, to keep beds filled and reduce waiting lists for its facilities. Finally DJJ is developing a web-based risk assessment tool addressing issues such as suicide, mental health problems, etc. Once this project is finished, the system can be duplicated in other agencies.

ITEM 3

Integrated Criminal History System

Bureau Chief Tom Watkins

FDLE Bureau Chief Watkins advised the Council that the Integrated Criminal History System (ICHS) project addresses some of the issues mentioned by Judge Francis with the objective to provide quality service to the criminal justice community, non-criminal justice agencies and the public. Many of the deficiencies of the current criminal history and fingerprint systems are not readily apparent, because FDLE manages to push its aging system to meet the immediate needs, although it is not robust enough, for example, to support wide advertising of the CCH on the Internet. ICHS will have the architecture and capacity to act as a central hub to access many other data sources, based on the needs identified by our customers. In order to work, the agencies holding relevant data must buy in and support the project by making their information available. There will be costs associated with this, not the least of which is the replacement of livescan devices at sheriffs' offices.

Phase I of the ICHS project, defining system requirements, is being concluded after a four-month delay caused by a dispute between FDLE and its vendor. The dispute has been resolved, and the project is moving forward. The next Phase will be the actual design and build of the new system, which will involve phased deliveries in six-month increments. FDLE is now engaged in data cleansing and conversion of microfilm records to digital media.

At 11:45 AM, Chairman McLaughlin was called out of the meeting and Council Member Robin Lubitz assumed the role of chairing the meeting.

Mr. Watkins reminded the Council that integration is a process, not a project. ICHS will be built so that additional data sources and functions can be added on over time.

At 11:50 AM, Chairman McLaughlin returned and resumed chairing the meeting.

FDLE Bureau Chief Jeff Long then reported on three possible statutory amendments that have been identified during ICHS meetings. He asked for input from stakeholders on these ideas:

- 1) retention of applicant fingerprints,
- 1) placement of livescan devices in the courts, and
- 2) reporting of juvenile dispositions.

Chairman McLaughlin advised that with the Council's permission he would assign some small workgroups the task of putting together a recommended legislative package, including fiscal impact.

<p style="text-align: center;">ITEM 4 Network Router and Encryption Upgrades Mr. Kevin Patten</p>

Mr. Patten, of the Florida Department of Law Enforcement, informed the Council that the FBI issued a requirement that any agency accessing data from the National Crime Information Center (NCIC)/Interstate Identification Index (III) will be responsible for data encryption at 128 bits. FDLE will be responsible for encryption from where the data leaves FDLE to its point of arrival at the accessing/inquiring agency. FDLE will be installing new core router equipment and new edge routers and will build three encryption tunnels: one from the FDLE to the agency/user site, a second as a back up and a third as a disaster recovery tunnel.

Local agencies must be planning to encrypt if national data is redistributed on wide and local area networks under their control. There will be costs associated with these efforts. The original requirement was to have encryption in place by September 30, 2002. FDLE has requested and received an extension of one year, and will do so until September 2005, at

which time all systems must be in compliance with encryption requirements. All new systems must be compliant immediately. Mr. Patten advised the entire Security Policy is available on the CJNet. Cellular Digital Packetized Data (CDPD) is an issue since it is used by many law enforcement agencies and may be partially encrypted (from towers to vehicles but not necessarily from agency facilities to towers). Major vendors are aware of the new nationwide encryption mandate from the FBI and should be making their products compliant.

Chairman McLaughlin requested that Mr. Patten provide some informational handouts for the FDLE Commissioner Tim Moore to have available for scheduled meetings with the Police Chiefs and Sheriffs.

ITEM 5
Telecommunications Work Group
Bureau Chief Tom Watkins

FDLE Bureau Chief Watkins informed the Council that the process in place for agencies to request an application to be placed on the CJNet is working well. The Telecommunications Workgroup (TWG) is authorized by the CJJIS Council to make recommendations for approval or disapproval. In addition the TWG has developed a policy reference the opening of non-standard ports on the CJNet, which is a security issue not only for FDLE but also other agencies.

Presently every jail management system in Florida operates as an independent entity. JANUS was implemented on CJNet in order to make information readily available to answer the question "Is <name> in jail?", regardless of different databases housing the queried information. It is an application that requires approval for certification in order to access. A part of the original deliverables for this project is an assessment of the technical compliance and accessibility of each of the state's 67 jail management systems. Sixty-one counties participated in the survey. The results of phase one reflected:

- 17 counties technically compliant with accessible data;
- 8 counties had accessible data, but not technically compliant;
- 10 counties with accessible data, but not technically compliant;
- 5 counties with no jail management systems at all;
- 21 counties not technically accessible, although information is accessible.

There is no cost to the sheriffs to participate in JANUS. The barriers set by county MIS administrators are more difficult to overcome than technical issues.

In the next phase of this project, other data sources (to answer different questions) will be assessed. A National Governors Association grant was approved to support this effort. The Council discussed ways to overcome the resistance of local and county governments to participate in these data sharing projects. This may become a legislative issue.

ITEM 6
Status of Warrants Task Force
Mr. Larry Coffee

Mr. Coffee, of the Florida Department of Law Enforcement, reported that not all felony warrants issued in the state of Florida are in the national system and available to criminal justice agencies in other states. This is an officer and public safety issue. Presently both the National Instant Checks System (NICS) and Florida Firearm Purchase Program (FPP) check FCIC/NCIC wanted persons hot files to see if an individual has a warrant before issuing an approval to purchase a gun. The Social Security Administration checks warrant files, which helps locate wanted persons and results in significant savings in denied claims. The Taking Hoodlums Using Guns Seriously (THUGS) program also identifies wanted felons through the use of these files.

The FBI recently changed their policy to allow the entry into NCIC of warrants where there will be no extradition.

In February 2002 the Felony Warrants Task Force convened to identify problems with the processing of warrants and obstacles to complete entry into NCIC. The main problem is the lack of human resources to maintain the system (entering, updating, serving and removing warrants from the system). The Task Force asked FDLE to develop a survey of criminal justice agencies asking for additional input on problems and potential solutions. The Council was asked to review the survey and provide any suggestions prior to it being mailed to local agencies. Alachua County has agreed to act as a pilot for electronic entry of warrants in the state and national system, and several others have expressed interest in pursuing this approach to decrease manual intervention and improve timeliness.

Chairman McLaughlin noted that since Mr. Dan Zinn was unable to attend the meeting, Item 7 would not be addressed. He drew members' attention to the Information Items in the agenda package and invited them to attend the CJIS Users' Conference in Orlando in July. The meeting was adjourned at 12:47 PM.