**DELAWARE CRIMINAL JUSTICE INFORMATION SYSTEM**

**BOARD OF MANAGERS**

**MEETING MINUTES**

**Thursday, November 20, 2014**

**OPENING AND ATTENDENCE**

The regularly scheduled Board of Managers meeting was held at Veteran’s Affairs office located in Dover, Delaware. Captain John Potts called the meeting to order at 9:33 a.m.

**BOM MEMBERS:**

Capt. John Potts Newark PD

Earl McCloskey DOJ

Michael McDonald DSP IT

Deborah Lindell JIC

Lt. Fred Calhoun NCC PD

Marian Bhate PDO

Phillip Winder DOC

**PROXIES:**

Renee Rigby SBI

Proxy for Capt. Daniel Hall

Michelle Brogden DYRS

Proxy for Nancy Dietz

**STAFF AND INTERESTED PARTIES:**

Peggy Bell DELJIS

Kelly Knutkowski DELJIS

Lynn Gedney DELJIS

Mary Hansen DELJIS

Lisa Morris DAG

Earle Dempsey DTI

Joe Shockley DTI

Anthony Spiezio DTI

Victoria Counihan DOJ

Renee Bensley City of Newark

Appellant Case #201403

**PUBLIC**

Fabrice Dubecq Diamond Technologies

**1. REVIEW AND APPROVAL OF OCTOBER PUBLIC SESSION MINUTES**

* A motion was made to approve the Board of Managers October 2014 Public Session Minutes by Lt. Calhoun and seconded by Ms. Lindell. Motion carried.
* A motion was made to approve the Case Hearing # 20110780 Public Session Minutes by Mr. McDonald and seconded by Lt. Calhoun. Motion carried.
* A motion was made to approve the DELJIS Rules and Regulations Public Hearing Minutes by Lt. Calhoun and seconded by Mr. McDonald. Motion carried.

**2. STRATEGIC ISSUES**

* IT Consolidation-Mr. Dempsey from DTI gave an update of the IT Consolidation status within DTI. Since the last meeting, DTI has finalized reassessment of DOS and DOS will be considered fully consolidated. Mr. Dempsey announced that Kevin Wright is now part of DTI.

**3. CASE HEARING**

At approximately 10:00 a.m., a motion was made by Mr. McDonald to enter into Executive Session to discuss Case #201403 pursuant to 29 Delaware Code §10004 to discuss criminal files and criminal records, the disclosure of which would constitute an invasion of personal privacy, and/or to discuss documents excluded from definition of public record where such discussion may disclose the contents of such documents, including pursuant to §10002 (I)(3)(5)(6)(9) and seconded by Mr. McCloskey.

The BOM returned to open session for voting at approximately 10:35 a.m.

A motion was made by Lt. Calhoun to reinstate access immediately for Appellant for Case #201403 with the condition that the individuals involved in the arrest and discussed in the case hearing be flagged by DELJIS and the Appellant doesn’t access the records and seconded by Mr. McDonald. A vote was made with unanimous approval with one abstention. Motion carried.

**4. NETWORK MANAGEMENT**

* Newark City Solicitor Office-Renee Bensley the City Secretary for the City of Newark was requesting to have access for the Newark City Solicitor’s Office. The Newark City Solicitor’s Officer is responsible for prosecution in Newark Alderman Court 40 and is requesting the City Secretary, City Solicitor, and Deputy City Solicitor has access. The Deputy City Solicitor acts as a prosecutor for the Newark Alderman Court, and the City Solicitor serves as a back-up for the Deputy City Solicitor and the City Secretary serves as a back-up to the Deputy City Secretary.

A motion was made by Mr. McDonald to approve Newark City Solicitor’s Office request for DELJIS access and seconded by Ms. Bhate. Motion carried.

**5. COMMITTEE REPORTS**

* Planning Committee-No new updates at this time.
* Police Complaint Access Committee-No new updates at this time.
* Policy and Procedure Committee-No new updates at this time.

**6. OLD BUSINESS**

* Automated System Usage Statistics- Ms. Bell reviewed the statistics with the attendees.

Project Status Report- Ms. Bell reviewed the project status report with the attendees.

Accident Sale Portal- We are testing FSF interfaces.

Adjudication Summary- Implementation of this item was on 11/17/14 and JP court is adding print to traffic cases also.

Ambulance Fund- Programming changes have been completed. In-house testing is in progress.

Bail Bondsperson Database- Changes from the last meeting has been completed. We are waiting on specifications on reports needed.

Bail Condition Screen-Programming changes have been completed. In-house testing is in progress.

Boat Registration File-Maintenance request was added for DTI to complete work to interface to Sales Force instead of the mainframe database files.

CAD Interface- Meeting was held to discuss how CAD will receive complaint, e-ticket, ecrash, idr, and etow data. DELJIS supplied estimates for two different solutions. We are waiting on DSP to determine the estimate they would like to utilize.

Civil Judgments- Have been implemented on 10/28/14.

Data Exchange with adjoining DOC- Pennsylvania has signed agreement. Participating states include Maryland, Delaware, and Pennsylvania.

DCI Message Switcher Modernization- Criminal history transactions are being tested by DSP. Only other outstanding testing needed is the MFTR transactions for the new switch.

DMV look up in SQL- Program list with input/output and batch/only supplied to DMV.

DOJ Case Tracking- We are waiting on DOJ to provide program specifications for the interfaces. We work with DOJ as questions arise.

DUI Calendar for CCP-Implementation was on 11/17/14.

Expunge Record in NDEX- this is a new item we are working with NDEX and we need to ensure that records expunged in Delaware are properly removed in NDEX.

Kiosk Interface- We went live on October 21, 2014. Existing Kiosks were upgraded with new programming, DMV Dover received a Kiosk.

LEISS Rewrite-Continuing to test internally complaint/warrant system-MOU signed with DSP and Safety and Homeland Security. We are waiting on Clearinghouse to release money.

Mental Health Records-Some mental patient records have been removed from criminal history. SBI has informed police agencies of new process for police to code as transports to hospital. Bad records will continue to be cleaned up until programming changes are available in LEISS. As of 11/14/14 there are 19,752 records in G4.

Migration of Warehouse to New Server- A new server is on site and operational moving application to reside on the new box.

NDEX Mapping to NIEM- New files has been submitted to NDEX and the FBI approved the file specification-working with Feds on data issues as they arise.

NIBRS Law Enforcement Counts- SBI approved data entry screen and working on transmission to FBI. File will be emailed to FBI.

Public Defender Work Sheet- Language is added to interview sheet, we are waiting on PD office to add to broker interface.

Red Light/Green Light- Static IP Address was supplied. Web services are now available in production.

Re-Entry Court Impact on Recidivism- We are developing MOU with CJC and research group to assess the impact the Court re-entry program has on recidivism.

Victim Voices Heard- Is a new item that will interface with program in DOC that will track impact of program within Department of Corrections.

* Discuss and deliberate on all comments received for the proposed regulations DELJIS Rules and Regulations

DAG Morris advised that DELJIS had not received any written comments and introduced the proposed changes based on the comments that were received during the DELJIS Rules and Regulations Public Hearing on October 22, 2014 at the Division of Accounting. DAG Morris advised that the proposed changes made based on the comments received were not substantive changes and the BOM can make a motion to adopt the proposed regulations as the final set of regulations. The Rules and Regulations will be published on January 1, 2015 and will become effective ten (10) days later on January 10, 2015.

One of the comments that was brought up by Ms. Linda Carmichael was the definition of administrative leave with respect to family medical leave referenced in 6.7. This prompted the BOM to think about administrative leave and to include military leave under Regulation 2.0. DAG Morris advised if a member of the military is deployed they shouldn’t have access to DELJIS internationally and should not be pulling any Delaware CJIS or records, because we generally do not allow access unless an agency has special requests, we want notification if an individual will be abroad.

The comment that was brought up by Ms. Carmichael to the Board was the clarification of Regulation 5.2 if existing agencies needed to reapply. The Board clarified that existing CJIS agencies will not need to reapply. The only agencies who would need to apply if they are an agency that currently does not have CJIS access or agencies. Agencies that are requesting enhancements to existing access levels will need to be presented to the Board.

The comment that was brought up by Ms. Carmichael to the Board, was the clarification of Regulation 6.1 to clarify if fees for fingerprinting will be waived. This clarification is needed but cannot be included since DELJIS does not control fingerprint fees for SBI or FBI.

Ms. Carmichael commented the term immediately should be changed to immediately or as soon as practical. The Board proposed to amend Regulation 6.6, 6.7, 6.8, and 6.9 to change the language from immediate to immediately or as soon as practical.

Ms. Carmichael commented that Regulation 6.10 ended in a preposition. The Board proposed to amend Regulation 6.10 to clarify the first sentence ending in a preposition by changing the language to, “Authorized Agencies are required to follow the Records Retention and Destruction procedures provided in Section 7, that require CJIS, NCIC, III or NICS information be disposed of securely.”

The Board proposed to amend Regulation 7.1 to include III in the list of systems. This clarification is needed to delineate between federal systems such as NCIC and NICS that do not include III, therefore, III is needed for clarification.

Ms. Carmichael commented on the language of Regulation 7.2 for the printed information maintained in personnel files. The Board proposed to amend Regulation 7.2 to clarify the printed information maintained in personnel files, court records, and Superior Court sentence reports that are not public. This clarification is needed to move Section 7.2 to the last sentence to Section 7.1 and modify language to "Under no circumstances should any printed information be maintained in any Authorized Agency files including but not limited to, personnel files by any Authorized Agency.”

Ms. Carmichael commented about the need to contact the Delaware Public Archives every time a document had to be destroyed. The Board proposed to amend Regulation 7.3.1 to clarify Ms. Carmichael’s concern by modifying the language to “In-state information, including CJIS information, may be shredded onsite or delivered to the Delaware Public Archives for shredding. Regardless of who destroys the record, they must follow the destruction protocols used by Delaware Public Archives in accordance with 29 Del. C. §504(b).”

The Board proposed to amend Regulation 7.3.1 to clarify the inclusion of Federal CJIS Security Policy. This clarification is needed to further explain and include Federal CJIS Security Policy requirements.

The Board proposed to amend Regulation 7.3.2 to clarify including of III in the list of systems. This clarification is needed to delineate between federal systems such as NCIC and NICS that do not include III, therefore, III is needed for clarification.

Ms. Carmichael commented that there was a concern in Regulation 13.3 may imply that the union representative is practicing law. The Board proposed to amend Regulation 13.3. to clarify at any hearing, a party may appear pro-se or be represented by an attorney-at-law duly admitted to practice law in the State of Delaware or appear with a union representative at his or her own expense. This clarification is needed to clarify that the union representative is not practicing law but representing the interest of the individual.

A motion was made to accept the changes discussed during the meeting since they were minor by Lt. Calhoun and seconded by Ms. Bhate. Motion carried.

**7. NEW BUSINESSS**

* Staff Changes- Ms. Bell announced that Mr. John Bell the Training Administrator at DELJIS will retire and read a letter from Mr. Bell to the Board. In the letter, Mr. Bell asked the Board if he could continue his access while he continues to serve as a volunteer with any training or other assistance needed at DELJIS.

A motion was made by Mr. McDonald to approve Mr. Bell’s request to continue with DELJIS access as the Executive Director sees fit and seconded by Mr. Winder. Motion carried.

A motion was made by Mr. McCloskey to rename the training room to Mr. Bell’s name in honor of his years of service and Mr. Bell’s efforts to make the training environment what it is today and seconded by Lt. Calhoun. Motion carried.

**8. PUBLIC COMMENT**

Mr. Spiezio recommended that the Board present Mr. Bell with a letter of recognition for his years of service. A Motion was made by Ms. Bhate and seconded by Ms. Lindell for the letter of service to Mr. Bell. Motion carried.

**9. ADJOURNMENT**

A motion to adjourn was made by Lt. Calhoun and seconded by Mr. McDonald at 11:46 a.m.