**DELJIS BOARD OF MANAGERS**

**PUBLIC SESSION MEETING MINUTES**

**MAY 26, 2016**

**Commission of Veteran’s Affairs**

**802 Silver Lake Blvd. Suite 100**

**Dover, DE 19904**

**OPENING AND ATTENDANCE**

The regularly scheduled Board of Managers meeting was held at Veteran’s Affairs office located in Dover, Delaware. Mr. McDonald called the meeting to order at approximately 10:04 a.m. Mr. McDonald introduced the new SBI Director, Captain Benjamin Parsons to the Board.

Those in attendance included:

**BOM MEMBERS**

Marian Bhate ODS

Gregory Patterson DOJ

Michael McDonald DSP

Marianne Kennedy JP Court

Robert Denton JIC

Lt. Frederick Calhoun NCC PD

Secretary James Collins DTI

Leann Summa Family Court

**PROXIES**

Michelle Brogden DYRS

Proxy for Nancy Dietz

**STAFF**

Peggy Bell DELJIS

Lynn Gedney DELJIS

Ray Sammons DELJIS

Mary Hansen DELJIS

Kelly Knutkowski DELJIS

Lisa Morris DAG

**PUBLIC AND NON-VOTING PARTIES**

Renee Rigby

Capt. Benjamin Parsons

Glenn Condon

Jeffrey Desaulniers

Ronald Stoner

Chuck Pugh

Mary Dunmyer

Tanya Banks

Ashley Morse

Merle Leonard

Michael Horgan

Katherine Parker

Kristin Shaner

1. **REVIEW AND APPROVAL OF APRIL MEETING MINUTES**

* BOM Public Session Minutes- A motion was made by Ms. Bhate to approve the April BOM Public Session Meeting Minutes and seconded by Lt. Calhoun. All approved. Motion carried

* BOM Executive Session Minutes*-* A motion was made by Lt. Calhoun to approve the Executive Session Minutes for Case #20150777 with the correction on the second page second paragraph from “accessed 3 days before the incident” to change the word incident to arrest and seconded by Mr. Patterson. All approved. Motion carried.
* A motion was made by Lt. Calhoun to approve the Executive Session Minutes for Case # 201507105 and seconded by Mr. Patterson. All approved. Motion carried.
* A motion was made by Lt. Calhoun to approve the Executive Session Minutes for Case # 20150785 and seconded by Mr. Patterson. All approved. Motion carried.
* A motion was made by Lt. Calhoun to approve the Executive Session Minutes for Case # 20150766 and seconded by Mr. Patterson. All approved. Motion carried.

1. **NETWORK MANAGEMENT**
   * Philadelphia/Camden High Intensity Drug Trafficking Area- Mr. Condon was requesting access for (PHIDA) to enhance the information to pass onto law enforcement counterparts as part of their heroin response strategy initiative.

A motion was made by Lt. Calhoun to grant Philadelphia/Camden High Intensity Drug Trafficking Area DELJIS access and seconded by Ms. Bhate. All approved. Motion carried.

* + Delaware Center for Justice- Ms. Katherine Parker with DCJ was present to request DELJIS access for a federally funded program called the SMART Pretrial project to evaluate and implement policy of risk assessments for violations of probation, capias returns, and new offenses. The Delaware Center for Justice is currently working with Department of Correction, JP Court, Attorney General’s Office, Delaware State Police, and the Governor’s Office on this project. The request for access would be for the specific project. The Board requested if the agency received funding for any additional programs that may need DELJIS access, the agency would have to return to the Board to request access.

A motion was made by Ms. Bhate to grant the Delaware Center for Justice DELJIS access for the purposes of the Smart Pre-Trial Project and if any other DELJIS access is needed for future projects the agency would have to return to the Board to grant access and seconded by Ms. Kennedy. All approved. Motion carried.

* + Dewey Beach Parking and Code Enforcement Department- Ms. Merle Leonard was present to request access for Dewey Beach Parking and Code Enforcement for the purposes of accessing motor vehicle registrations to obtain information to send unpaid parking notices. Mr. McDonald stated that they will need a special ORI for NCIC to be able to check vehicles out-of-state.

A motion was made by Lt. Calhoun to grant Dewey Beach Parking and Code Enforcement Department DELJIS access and seconded by Mr. Denton. All approved. Motion carried.

1. **STRATEGIC ISSUES**
   * IT Consolidation- A copy of Executive Order Number 57 was handed out to the Board. Ms. Bell briefly described the order to make government data more open and accountable, and there was a perception that DELJIS withholds data. Ms. Bell stated she doesn’t have a problem sharing data with the open data council, as long as it doesn’t violate the Victims’ Bill of Rights and it’s public information.
2. **COMMITTEE REPORTS**

There were no updates.

1. **OLD BUSINESS**
   * Automated Usage Statistics- Ms. Bell reviewed the automated usage statistics with the attendees.

* + Project Status Report- Ms. Bell reviewed the project status report with the attendees. (See attached).

Questions/Comments on the Project Status Report

The Board discussed the problems officers were having issuing civil marijuana citations. Mr. Pugh commented that Mr. Jeffrey Horvath had gone to a summit in Colorado to see how law enforcement is responding to the legalization of marijuana and plans on working with CJC to develop a document available for law enforcement from the information from the summit.

Mr. McDonald requested to include a field if a consent search was requested and approved on the Juvenile Justice E-Warning tickets.

* + Terminology Clarification- The Board determined the terminology clarification for revoke access and suspended access would define as the following:
    1. Revoke Access- Access has been permanently denied not allowed to have or apply for access to the CJIS system or information.
    2. Suspend Access- Is a temporary denial of access until investigations are completed, conditions that are imposed are met, more evidence is provided in the case, or the user is able to re-apply at a later date.

A motion was made by Secretary Collins for terminology clarification to be removed from the table.

A motion was made by Ms. Summa to approve the corrections made to the definitions for revoke access and suspend access and seconded by Secretary Collins. All approved. Motion carried.

1. **NEW BUSINESS**
   * Police Access Committee Chairperson- The Board announced that Captain Potts with Newark PD and Delaware Police Chiefs’ Council has left the Board to become a Judge at JP Court. The new representative from the Chief of Police Council is Chief William Bryson from Camden PD. The Board appointed Chief Bryson as the Police Access Committee Chairperson.
   * Possible Date Change for June and October BOM Meetings- The date change for the June BOM Meeting will not be necessary, but the October BOM Meeting will be changed to Thursday, October 20th.
2. **PUBLIC COMMENT**

There was no public comment.

1. **HEARINGS**

A motion was made by Lt. Calhoun to enter into Executive Session 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 Ms. Bhate. Motion carried.

* Case #201507100-A motion was made by Secretary Collins for the Appellant in Case #201507100 to be re-trained, log access for one (1) year and a suspension for 60 days. Four approved and four opposed. Motion failed. Ms. Brogden amended the motion for the Appellant in Case #201507100 to be re-trained, log access for one (1) year and a suspension for 120 days. Five approved and three opposed. Motion carried.

A motion was made by Ms. Brogden to enter into Executive Session 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 Ms. Kennedy. Motion carried.

* Cases #201507108- A motion was made by Ms. Kennedy to reinstate DELJIS access for the Appellant in Case #201507108 and the Appellant must attend training, re-sign the DELJIS Rules and Regulations, and must log DELJIS accesses for three (3) months. Five approved and three opposed. Motion carried.

Ms. Brogden recused herself for Case #201504.

Case #201504- The Appellant in Case #201504 was Ms. Ashley Morse who is an employee at DYRS. Ms. Morse was present because of a notification of an arrest for charges that are still pending. DAG Morris provided a brief overview of the hearing process and Ms. Morse understood that she could be present with attorney. She agreed that she was aware and brought a witness Ms. Tanya Banks who is an Assistant Superintendent at Ferris School. DAG Morris requested the Board to introduce themselves and swore in the individuals who would be testifying.

Ms. Morse described her uses for the DELJIS system and her position at DYRS. Ms. Morse explained the situation that transpired at the time of the arrest. The colleague called the police after they had talked for several hours. She notified Ms. Banks of the incident and had gone to the police department after being contacted that there was a report for her. Ms. Banks testified that Ms. Morse is a great employee and has been promoted and received a leadership award with her time at the department. Ms. Banks advised that the department will provide oversight of Ms. Morse at work and would like for her to have temporary DELJIS access until the charges are resolved.

A motion was made by Lt. Calhoun to reinstate DELJIS access with approval of the sponsoring agency and prohibiting the Appellant in Case #201504 from accessing the case and seconded by Secretary Collins. All approved. Motion carried.

1. **ADJOURNMENT**

A motion to adjourn was made by Lt. Calhoun and seconded by Mr. Patterson at approximately 2:30 p.m.