

**MINUTES OF THE 2017-2018 INTERIM
ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE'S
SUBCOMMITTEE ON CRIMINAL JUSTICE INFORMATION SHARING**

March 22, 2018

The meeting of the Advisory Commission on the Administration of Justice's Subcommittee on Criminal Justice Information Sharing was called to order by Chair Julie Butler at 1:01 p.m. at the Legislative Building, 401 South Carson Street, Room 3138, Carson City, Nevada, and via videoconference at the Grant Sawyer Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada.

Exhibit A is the Agenda, and Exhibit B is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT (CARSON CITY):

Julie Butler, Division Administrator, Central Repository for Nevada Records of Criminal History, Chair
Jackie Bryant, Clerk of Court, Second Judicial District Court
Captain Tom Lawson, Parole and Probation
Jennifer Noble, Deputy District Attorney, Washoe County District Attorney
Undersheriff Robert Quick, Lander County Sheriff's Office
Sergeant Corey Solferino, Washoe County Sheriff's Office
Rick Stefani, Deputy Director-IT, Administrative Office of the Courts

COMMITTEE MEMBERS PRESENT (LAS VEGAS):

Steve Grierson, Court Executive Officer, Eighth Judicial District Court
Brian Kochevar, Chief Deputy District Attorney, Clark County District Attorney
Carmen Tarrats, CJIS Manager, Las Vegas Metro

COMMITTEE MEMBERS EXCUSED:

Pam Del Porto, Inspector General, Nevada Department of Corrections
Fred Olmstead, General Counsel, Nevada State Board of Nursing

STAFF MEMBERS

Bryan Fernley, Commission Counsel, Senior Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau
Victoria Gonzalez, Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau
Angela Hartzler, Secretary, Legal Division, Legislative Counsel Bureau

Jordan Haas, Secretary, Legal Division, Legislative Counsel Bureau

OTHERS PRESENT:

Greg Fisicaro, Business Process Analyst Supervisor, Records, Communications and
Compliance Division of the Department of Public Safety
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association

**Julie Butler (Division Administrator, Central Repository for Nevada Records of
Criminal History, Chair):**

I will now open the first meeting of the Advisory Commission on the Administration of
Justice's Subcommittee on Criminal Justice Information Sharing.

I will now open public comment. Seeing none, I will close public comment.

The next order of business is I would like to have the election of a vice chair in the event
that I need to step out or in the event that I can't attend a meeting so we have someone
willing to step up and take that role. I'll first ask if we have any volunteers. Undersheriff
Quick, would you like to volunteer?

Undersheriff Robert Quick (Lander County Sheriff's Office):

Certainly.

CHAIR BUTLER MOVED TO ELECT UNDERSHERIFF ROBERT QUICK AS
THE VICE CHAIR.

MS. NOBLE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Butler:

At this point, I'm actually going to go down into the audience. Mindy McKay was going
to be here from my office to make the remainder of most of the presentations, and
unfortunately she is out ill today, so I'm going to handle that along with Greg Fisicaro of
my staff, so I'll be moving down. Vice Chair Quick, if you could move through the
agenda, that'd be great.

I'm here to give you an overview of the Nevada Criminal Justice Information System (NCJIS) and talk about some of the history of the committees, and then I'm assisted with Greg Fisicaro, who's going to talk a little about what NCJIS is and where we are with our modernization program, and then we'll move through the remainder of the agenda. If at any time you have any questions, please feel free to speak up. Definitely I want a lot of dialogue going on, and I know there are probably a lot of questions from the Subcommittee, so I'll just move along.

Undersheriff Quick:

Chair Butler, I think we skipped an item, review and discussion of legislation.

Chair Butler:

Oh, I'm so sorry. Yes, you're absolutely right, we did. Mr. Fernley, if you could give a review and discussion of the legislation creating the Subcommittee. Thank you.

Bryan Fernley (Commission Counsel, Senior Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau):

First, I'd like to introduce the staff for this Subcommittee. My name is Bryan Fernley, and I am a Senior Principal Deputy Legislative Counsel in the Legal Division of the Legislative Counsel Bureau (LCB). I am legal counsel for the Advisory Commission on the Administration of Justice and also will be legal counsel for this Subcommittee of the Advisory Commission. In addition, we'll have Victoria Gonzalez. She's a Deputy Legislative Counsel in the Legal Division of the LCB and will be legal counsel for this Subcommittee as well. Angela Hartzler and Jordan Haas will be the Subcommittee secretaries.

Now, I will go onto a brief overview of the creation and duties of this Subcommittee. The authority to appoint this Subcommittee and the duties of the Subcommittee were established by two bills from the 2017 Legislative Session. They were Senate Bill (S.B.) 35 (Agenda Item V A-1) and S.B. 277 (Agenda Item V A-2).

SENATE BILL 35: Creates the Subcommittee on Criminal Justice Information Sharing of the Advisory Commission on the Administration of Justice. (BDR 14-261)

SENATE BILL 277: Revises provisions relating to criminal justice information. (BDR 14-1004)

The provisions of these bills are identical, but they did have different proposers. The concept of the bills arose from proposals by the General Services Division of the Department of Public Safety and recommendations developed through the work of the Advisory Commission last interim. The bills abolish the former Advisory Committee on

Nevada Criminal Justice Information Sharing, and instead provide for the creation of this Subcommittee under the Advisory Commission on the Administration of Justice. The bills also provide for an appointment of a representative of the Central Repository to the Advisory Commission, and Chair Butler was that appointment to the Advisory Commission. Before S.B. 35 and S.B. 277 were enacted, Nevada Revised Statutes (NRS) 179A.079 required the Director of the Department of Public Safety to establish within the Department an Advisory Committee on Nevada Criminal Justice Information Sharing. This Advisory Committee consisted of the Directors of the Department of Public Safety and Corrections or their designees, the Attorney General or his or her designee, representatives of the judicial branch, law enforcement, district attorneys, a member who used the Central Repository to obtain criminal history information for purposes other than law enforcement and two legislators, one Senator and one Assembly member. In general, this Advisory Committee recommended policies and procedures for the activities of the Central Repository, advised on technological support for the Central Repository and advised on information sharing of statistical data related to crime and juvenile delinquency.

As I mentioned before, S.B. 35 and S.B. 277 of the last session abolished this Advisory Committee and instead provided for the creation of this Subcommittee. The Chair of the Advisory Commission appoints the Chair of this Subcommittee and the members of the Subcommittee, except for one member who is appointed by the Director of the Department of Public Safety, and that member must be a person who serves in a position requiring him or her to use the Central Repository to obtain criminal history information for purposes other than criminal justice, such as eligibility for employment or licensure. Chair Yeager has appointed 12 members to this Subcommittee, thus a quorum that is required to exercise any authority or power conferred on the Subcommittee would be 7 members. Generally, the duties of the Subcommittee relate to reviewing and evaluating criminal justice information systems and information sharing. This includes review of criminal justice information systems utilized by local law enforcement and state criminal justice agencies, consideration of the efficiencies and obstacles of integrating statewide criminal justice information systems, a review of requests regarding the capabilities of NCJIS, which are submitted by criminal justice agencies in a format prescribed by the Subcommittee, and a review of technical and operational issues related to NCJIS and the development of new technologies. The Subcommittee is required to submit a report of its work to the Advisory Commission. The report must include the recommendations on the issues reviewed by the Subcommittee during the interim. The Advisory Commission will then consider that report and make recommendations on standards, policies and procedures related to information sharing in Nevada. One final aspect of S.B. 35 and S.B. 277 that I do want to mention is that the bills authorize the Chair of the Subcommittee to appoint working groups to consider specific issues within the purview of the Subcommittee and to conduct in-depth reviews of the impacts of requests for changes to the capabilities of NCJIS. If working groups are appointed, the working groups consist of representatives of the Central Repository, representatives of the Division of Enterprise Information

Technology Services and representatives of criminal justice agencies, and those members would be appointed by the Chair of the Subcommittee. The Chair of the Subcommittee will designate chairs of the working groups, and the chairs of the working groups would be charged with reporting back to the Subcommittee on the work of their working group. Because of the need to maintain security of criminal justice information systems, meetings of those working groups are exempt from the Open Meeting Law and the Public Records Law.

That is an overview of the bills that created the Subcommittee and prescribed its duties, and I'd be happy to answer any questions from the Subcommittee.

Chair Butler:

Thank you very much, Mr. Fernley. I appreciate that overview. It was very comprehensive.

Now we will move on to agenda item VI talking about the history of NCJIS and what it contains (Agenda Item VI A-1). The Nevada Criminal Justice Information System is a statewide computerized information system. It was established in 1987 as a service to state, local and federal law enforcement and criminal justice agencies throughout Nevada and nationwide. It provides for the rapid exchange of information both in state and out of state and it's a portal through which our criminal justice agencies in Nevada connect to the various criminal justice systems at the Federal Bureau of Investigations (FBI), and also through Nlets, the International Justice and Public Safety Network. They can query the criminal history records from other states and get other states' driver history records.

There are several files that can be queried through NCJIS (Agenda Item VI A-1). We have approximately 17,000 users statewide that my division, the Records, Communications and Compliance Division (RCCD), has a training program that we are responsible for training those users to make sure that they're using the systems in compliance with the FBI's rules for the use of criminal history information and criminal justice information systems. Also, we have state policies and procedures that also govern the use, storage, dissemination and destruction of criminal history records. We employ a train-the-trainer approach. We don't actively train all 17,000 users. What we do is we train what is termed a terminal agency coordinator (TAC) in that particular agency, and that is the person. We may also have an assistant TAC, or ATAC. That person is responsible for training that agency's users in enforcing system discipline at the local level. So, we train the TACs and ATACs and then they train their agency users.

We have several files that can be accessed via NCJIS. As I mentioned, it's also the mechanism through which all of the users statewide access those files at the FBI, and some of those files are listed on the slide to include various person and property files in

the National Crime Information Center (NCIC) and allow us also to query other state criminal history records via Nlets.

This slide gives you kind of a visual description of NCJIS. As you can see, it's not really one system, it's a conglomeration of multiple systems. On the top part of the diagram in the blue boxes, that is the various files at the FBI level and Nlets that we can query. Down the left-hand side is mainly files that we keep internally to the Records, Communications and Compliance Division. Our point of contact, firearms background check program file, civil name check, civil applicant, that conducts the fingerprint piece background checks for employment and licensing purposes. We have an accounting program because we charge fees for all of those name-based or fingerprint-based background systems, so we have that file. Then we have some files that we don't necessarily use. The Offender Tracking Information System (OTIS) falls under the umbrella of NCJIS. That system is used by Parole and Probation and courts to track the offender status and probation and parole status of the individuals in Nevada. Then we have files that are used, some by the state and by the locals, such as the computerized criminal history system, the sex offender registry and the warrants file. Down on the bottom left-hand corner, that system is meant to depict the fingerprint identification system, so the live-scan system is a network of fingerprint machines that exist in booking facilities statewide. When those individuals are fingerprinted, they come to the State RCCD, they go through our Dataworks Store & Forward, which does edit checks of the fingerprints to make sure they pass certain validation criteria before they're forwarded up through the Western Identification Network's (WIN) gateway to the automated biometric identification system at WIN. They're then passed on to the FBI at that point. It's at that point when we get those fingerprints in, if an individual does not have a criminal history, our fingerprint technicians will make an ident, or maybe they don't make an ident. If they do make an ident, those persons' arrest information is appended to their criminal history record that exists in the computerized criminal history file. If it's a non-ident, then a new rap sheet is created for that individual. A new criminal history will be created. On the bottom part of the screen, we have the connections through the state and local systems. We have multiple connections to computer-aided dispatch and records management systems at the local level: the Clark County CTrack system, various courts and municipal systems, the Department of Motor Vehicles (DMV), the Las Vegas Metro SCOPE (Shared Computer Operation for Protection and Enforcement) system, the Administrative Office of the Courts, the Department of Wildlife. In the center of the diagram, what you really see at the hub of everything is the Justice Link Message Switch, which controls all the electronic traffic that goes in and out of the State of Nevada and back and forth between the FBI, back and forth between the locals and the state, and that's really the hub of everything is our State Message Switch. The little pink box in the middle, those are our Hot Files. Those are queried immediately any time somebody is—to use kind of law enforcement terms, any time you run somebody on the side of the road, to immediately determine do they have a warrant. Are they a CCW (carry concealed weapons) holder? Are they a sex offender? Are they a dangerous offender? That'll hit against the Parole and Probation's Dangerous

Offender Notification System (DONS). Are they the subject of a temporary protection order?

That's kind of NCJIS in a nutshell. I was hoping that Suzie Block from our Enterprise Information Technology (IT) Services would be here today to kind of explain things from a technical perspective. Unfortunately, she is also ill. I will try my best. If you do have any technical questions, I am not a technical person, so bear with me if you do have anything technical. But that is kind of NCJIS in a nutshell. Are there any questions at this time?

Undersheriff Quick:

Chair Butler, can you give just a real quick overview of where we're at with the State Switch and the linked software that's going to have to be replaced?

Chair Butler:

I will, but what I'd like to do first before I answer that is turn it over to Greg Fisicaro of my staff that's going to give an update on NCJIS modernization in agenda item VII, then we'll loop back around if, after Mr. Fisicaro's presentation, you have additional questions, if that's acceptable.

Greg Fisicaro (Business Process Analyst Supervisor, Records, Communications and Compliance Division of the Department of Public Safety):

This presentation for the Subcommittee is an update on RCCD's change in direction with regard to the NCJIS modernization.

The next few slides will be a visual depiction of the initiatives found within the NCJIS modernization, referred to herein as the "NCJIS Mod" ([Agenda Item VII](#)). The purpose of the NCJIS Mod is not strictly for the benefit of RCCD, but as the main compliance authority for the state, we are required to ensure that our technology systems and systems are up to date to ensure our compliance with federal and state regulations, oversight of the agencies that access that information with the state and then to ensure public and officer safety by reducing the security risks in downtime. Because of this, we are responsible for setting statewide policies that adhere to FBI and state regulations, as well as be the face for those agencies towards the fed.

In the next two slides, you'll see a visual depiction that shows the MTG case study breakdown of initiatives. In 2012, MTG Management Consultants created a case study that was broken into six initiatives over multiple biennia. The first slide shows the first three initiatives. This case study was MTG's recommendations as how RCCD, at that time the General Services Division (GSD), should progress in keeping up to date with the latest technologies and industry practices. For reference, you'll see green sections

which are items that are already completed, gray sections that are items that have not yet been initiated, and then yellow sections, which are items that are currently in process. As you see in initiative one and the majority of initiative two have already been completed. Currently, we are working through items in initiative three, internally known as NCJIS Mod Phase Three, with note that we have completed the requirements for the computerized criminal history (CCH) system, Message Switch and Hot Files, specifically on the slides, initiative 3.1. Also of note is that we are in the process of completing the new CCH and protection order applications. More detail on those two items will happen later on in the presentation.

In the next slide (Agenda Item VII), you'll see initiative four is the revamp of the Parole and Probation case management system, or OTIS. As you can see, things are in full swing and some of the items have already been completed. The final two initiatives are a cleanup of the remaining items of the MTG case study and take care of the remaining system enhancements and that items that were not particularly handled with a specific project that was part of the NCJIS Mod.

This next slide, here's a slightly different visualization of the initiatives spanning the multiple calendar years proposed in the MTG case study, and what initiatives, items were slated to be handled in each phase of the project in those years. Again, this is a depiction of the initiatives following the original 2012 MTG case study and the recommendations and timelines.

If you switch to the next slide, you'll see a proposed change of the NCJIS Mod. The two main things to notice are the items outlined in red in phase three and phase four, and then an increase in the timeline. The outlined items in red have to do with the acquisition of a new Message Switch. This move came as a result of the Justice Link (JLink) upgrade that happened in May of 2017. As you may know, we have experienced multiple ongoing issues with the implementation, and the MTG case study recommendation was to move from the current Switch solution to a commercial off-the-shelf (COTS)-based solution. However, that recommendation was slated for later in the NCJIS Mod, according to the original MTG case study. Further detail will be given in a minute. On top of the changes for the Message Switch was the expansion of the timeline to allow for proper implementation of the new Switch solution with dedicated resources for that particular project. So, to go along with that, with the last slide that shows the initiative timeline, here is what the proposed new plan is for the current biennium. The main things to note with that are the issues that were found in the JLink upgrade in May of 2017 and other items that have come to light since. The determination was made that the implementation of a new Message Switch is necessary and needed now. With the determination came the release of the request for information (RFI) to understand what Switch solutions are actually available. That RFI was actually released at the beginning of calendar year 2018, and the responses have been received and are currently being reviewed. Along with the RFI is the determination that reengaging MTG Management Consultants to do a rewrite of their 2012 case study

is needed as well. This is due to the fact that over these last 6-ish years, technology has improved vastly. The contract to reengage MTG is currently with the State Purchasing and being finalized. The final part to this is the engagement of Norsoft Consulting, our current Switch vendor, to assist with the transition from the current version of JLink to our new COTS-based solution. Other projects that will be of high priority during this timeframe will be the replacement of the current CHR accounting solution, which is also a Norsoft application, with a COTS-based solution, and completing two other items that are in progress that were noted in yellow on part of phase three. Those items are the revamp of the temporary protection order application, currently referred to as the Protection Order Program (POP), which is slated to be completed in the May of 2018 timeframe, and the completion of the CCH modernization, both part one, which is slated for implementation April 8 of 2018, so in a couple of weeks here, and part two, which includes the USoft CCW application. The CCW application happens to be one of the final items that still resides on the deprecated USoft framework and will ensure that all these systems are now moved to an updated technology. Outside of that, there are a number of other smaller projects listed on the slide (Agenda Item VII) that will be planned out for the 2018-2019 Biennium.

On the next slide, moving onto the expanded timeline, in the remaining project biennia, you will see that the new Message Switch solution will span multiple biennia, specifically the 2018-2019 and 2020-2021 Biennia. This is to ensure that we capture all items properly in the project and help project success. Along with this will be the reinstitution of the NCJIS Mod Phase Three, which included multiple items and was postponed due to the needs of the new Message Switch. Lastly, in the 2022-2023 Biennium, we will move onto the final items that were part of the original 2012 MTG case study. With the reengagement of MTG, these timelines are only proposals, as we may find that their revised case study that there are better, more cost effective and efficient ways of handling the different items.

Chair Butler:

Vice Chair Quick, did that answer your question as far as where we are with replacing JLink?

Undersheriff Quick:

It did, thank you.

Chair Butler:

Great. I'm going to move along then. Thank you very much, Mr. Fisicaro, for that information. Moving onto agenda item VIII and talking about—Mr. Fernley gave a very good overview of the Advisory Committee on Nevada Criminal Justice Information Sharing as that body existed in 2005. You also should have some information on how

that Committee existed informally before the 2005 Session, and kind of the history of that (Agenda Item VIII). As Mr. Fernley indicated, the membership of our former Advisory Committee was largely duplicative of what exists on the Advisory Commission on the Administration of Justice. We had a prosecutors' association representative, law enforcement agencies, Administrative Office of the Courts, the Department of Corrections (DOC), etc. As part of that Advisory Committee on Nevada Criminal Justice Information Sharing, we met twice a year, and as Mr. Fernley indicated, one of the things that it was supposed to do was recommend technology best practices to the Central Repository for Nevada Records of Criminal History (CHR), which is part of our Division. What it kind of turned out to be in practice was really just a 6-month status report on activities at the Repository and really wasn't as effective as I think it could have been and that it needs to be. Part of that Committee had established two subcommittees, a Northern and Southern Technical Subcommittee, and those committees were made up of criminal justice practitioners within Nevada, and they recommended and communicated desired policy and procedure changes and system improvements to the Advisory Committee and the Criminal History Repository. Over the years, the Repository had really tried to get our Advisory Committee to take more of a policy-setting role and governance role in setting statewide standards for the exchange of criminal justice information, and that Committee was actually very reluctant to do that.

As you can see in the diagram from slide four, we've got a very busy system going on here (Agenda Item VI A-1). It's very complex, a lot of moving parts. Without any sort of form of governance body, per se, it becomes very difficult, just as the Central Repository and our IT support, Enterprise IT Services, to make sure that we're putting in changes that the local criminal justice agencies want and need to make sure that we're responsive to their needs, to make sure that when we decide what we are going to change something that the information gets out to the right people. Without any sort of governance body, that has become very, very difficult for us, and I would say with the JLink rollout last May, it was kind of disastrous, as everybody who's very close to that knows, and we don't want to repeat that. Without a governance committee, we were left with duplicating a lot of information. We know that at the local level, the state level, the federal level, and we want to take a look at that and stop that. In response to that, we put forth—and it was kind of funny, because the Advisory Committee, we must have been on the same wavelength at that time, but we both put forth very similar bills, as Mr. Fernley has gone over. Senate Bill 35 was our bill, the Records, Communication and Compliance Division, and what we were most interested in doing is creating that governance body for NCJIS. Now, what the Advisory Commission was most interested in was creating one big, statewide system, if you will, that's I think maybe bigger than NCJIS. Maybe if you take all the local systems, SCOPE and Tiburon and etc., and do away with those and you have this one big, holistic system, and I think that's kind of what they're interested in looking at. As I see it, we've really got two mandates. We need to review and evaluate what exists out there, what's the lay of the land look like, and come up with obstacles, or what are the barriers to sharing our information and consider efficiencies, and then we've got to review the requests from the local criminal

justice agencies and figure out what do we want to have housed in NCJIS and what does that look like. So, I'm looking at this Subcommittee really to be the mechanism to do that, and I think we can do that very efficiently.

That brings me to agenda item IX, and with the Chair's indulgence, I'd like to go a little bit out of order here. I'd like to talk a little bit about how the criminal justice information sharing is handled at the federal level, and then segue into how I'd like it to work at the state level. Let me talk a little bit about the FBI Advisory Policy Board (APB) process. The federal systems of the FBI, the National Crime Information Center, the National Instant Criminal Background Check System, the National Sex Offender Registry, etc., they are a shared-governance model authorized under the Federal Advisory Committee Act (FACA), and it is established to be that governance body over the various programs maintained by the FBI's Criminal Justice Information Services Division. There are five regional working groups that meet two times a year to discuss policy and technical changes to the major FBI criminal justice information sharing (CJIS) systems. Working groups consist of each state's CJIS Systems Officer, which is the person that's appointed to oversee connectivity and enforce system discipline to the various FBI systems. For the State of Nevada, that's me, and then a representative appointed by each state's sheriffs' and chiefs' association, so for the State of Nevada, that's Undersheriff Quick from Lander County. Twice a year, we attend these regional working group meetings, which are not open to the public. You can see on the next slide that Nevada is part of the western working group, then there's a north-central, a northeast, a southern and a federal working group made of federal criminal justice agencies like the Federal Department of Prisons, Federal Parole and Probation, etc., that participate. What happens is, at the local level, if there is an agency that would like to see a change made to one of the federal systems, maybe the sex offender registry, maybe NCIC, maybe they don't like the way that the information prints out on the screen when you get an NCIC return, maybe they want to make a change to that, they will submit a topic paper to me as a CJIS Systems Officer (CSO), and I've got an example here in the presentation (Agenda Item VI A-1), to describe what it is they are requesting and why they want to change it, how critical it is to them. It's then my job to funnel that topic paper up through my working group chair, and then what happens is that goes to the FBI, who prepares a staff briefing paper on that. When Undersheriff Quick and I go to the working group meetings, there's usually a stack of about 22, 25 white papers that look at the various changes that people have requested. These changes can come from the bottom up, meaning it comes from the user level, like maybe Las Vegas Metro has recently requested several changes to various components of the federal systems, or it could come from the top down. Maybe the Advisory Policy Board wants the FBI to take a look at changing things. So, the FBI prepares a staff paper and we meet as a working group to vote yay or nay on it. The working groups' votes are not binding on the APB. What happens next after we meet in the working group level is it goes to the next level in the process, which are the FBI subcommittees. The subcommittees also meet twice a year, April and September, and they are made up of subject matter experts, and there are currently nine APB subcommittees, and they're listed in the presentation. Same

thing kind of happens there. Subcommittees review the working group recommendations, they review the FBI's analysis, they take a deeper dive into the issues, and then they also come up with a recommendation. For items that are really specific that need a lot of granular focus, sometimes they form taskforces to consider very specific items such as Rap Back, such as warrants, such as disposition reporting. Those are some of the more recent taskforces that they have formed. The APB then meets twice a year, June and December. They consider the topic papers, white papers that have been proposed, prepared by the FBI staff. They consider the working group votes, the subcommittee votes, and then they go ahead and make their decision and they make recommendations to the FBI Director on whether or not to implement the proposed changes. The subcommittee meetings are not open to the public, but by the time you get to the Advisory Policy Board, those meetings are open to the public. They're very well attended. It's a body of 35 individuals. Some of them are representatives of the working groups, some of them are appointed by the FBI Director and include people from like the major cities or major county sheriffs' association, the International Association of Chiefs of Police (IACP), American Parole and Probation Association, basically practitioners in the field that use these systems. So, then the FBI makes the final decision on any changes.

That brings me to agenda item XI, so I'm just going to go a little bit out of order, but what I would like to propose for the state process is essentially the same thing, just on a smaller scale, that we follow the APB process to consider the policy issues and make the appropriate strategic, technical and operational changes and recommendations related to criminal justice information sharing and changes to NCJIS, and then the Subcommittee would make those recommendations both to the Advisory Commission on the Administration of Justice (ACAJ) and to the Department of Public Safety (DPS) Director. I would envision, in place of the former NCJIS Northern and Southern Technical Subcommittees, I would envision two regional working groups, a northern and a southern, and as Mr. Fernley indicated, the statute directs that these working groups are made up of members of the Central Repository, Enterprise IT Services as our IT provider, and then a mix of large and small agencies, and those groups are not subject to the Open Meeting Law so that candid discussions can take place on system changes, security issues, procedures, etc. Using the same topic paper as is used in the federal process, we would envision then that if at the local level they want to make a change to NCJIS or they have maybe an efficiency proposal that they would submit a topic paper through their working group chair and my staff and the staff of Enterprise IT Services would prepare a white paper outlining the level of effort and the associated cost and timeframe by which that change could be accomplished, and it would come to the Subcommittee and the Subcommittee would entertain that and vote yay or nay and what they would want to recommend to the full body of the ACAJ, who would then thumbs-up or thumbs-down to the DPS Director. That is my proposal. I want to note that just because something might move forward in terms of a Subcommittee recommendation or a recommendation by the full ACAJ, the key issue, as it always is, is going to boil down to funding. What is in theory supposed to fund the various changes

to NCJIS is court assessments. We get part of that \$25 for every misdemeanor conviction in the state. A portion of that goes to the Administrative Office of the Courts, 51 percent. The other 49 percent of that allocation is divvied up among six different agencies, one of which is the Central Repository. Right now, the court assessment allocation that the Repository gets is not sufficient to fund all of these changes, so we're constantly dipping into our fee-funded reserves to make these changes, so going forward, I think there needs to be a realistic understanding of how the Repository is funded, and if we do want to make system changes, there's got to be some sort of funding mechanism that's identified and we move forward with this, particularly if we're looking at maybe coming up with one combined super system. We need to be sure that we have clear in our minds how we're going to fund that. The other thing that I want to make sure is that we need to have, if it's in an interim session, we would have to go to the Nevada Legislature's Interim Finance Committee to get approval for that, or if it's during the legislative session, we want to make sure we identify those changes early enough in the process to get those both in our budget and in the budget of Enterprise IT Services, or if we determine that we're going to do a commercial, off-the-shelf type application, to make sure that Enterprise IT Services is well aware of any integration that might need to occur with the systems that we currently have. The other thing is, some of this may require legislation, so we're going to have to be aware of that if you want to make any changes to make sure that we've got a sponsor for that.

Any questions, though? I guess I'll take a pause there because that was kind of a lot of information to cover. Any questions at this time?

Carmen Tarrats (CJIS Manager, Las Vegas Metro):

How would the members of the two regional subcommittees, I think you called them—in place of the technical subcommittees, how would those members be chosen?

Chair Butler:

I would be glad to answer that, and that actually takes us to agenda items X and XI. What I would envision is that the Records, Communications and Compliance Division would reach out to the terminal agency coordinators and the assistant terminal agency coordinators at the local agency level and ask for volunteers initially. That would be my hope, that we would get enough interest, and I do not want to restrict membership in that, except that there needs to be a chairperson of the northern and southern working group, and that person we're going to be relying on to attend the Subcommittee meetings and the ACAJ meetings, because that person's really going to be the funnel that I want to use to communicate down to the local levels what's occurring at the state level, what's occurring at the federal level, so that person that's the chairperson of those two committees is really going to have a very important role in making sure the communication flows up and down. Does that answer your question?

Ms. Tarrats:

Yes, thank you.

Chair Butler:

Great. The other thing that's on the agenda is the discussion of bylaws for the working groups and for this process, and I do think that we absolutely do need to have bylaws so that everyone understands their role in the process and what's going to be expected of them. For historical references, you should have the bylaws as existed for the former Advisory Committee on Nevada Criminal Justice Information Sharing (Agenda Item XI A-1), and also the bylaws as existed for the Northern and Southern Technical Subcommittees (Agenda Item XI A-2). What I would propose is that my staff work with that of the Legislative Counsel Bureau to come up with bylaws to present at the next meeting of the Subcommittee so that way the Subcommittee could then take a look and vote on that, and I would make sure we're working with LCB Legal to make sure we don't get afoul of any legal issues. That would be my proposal, and again, I want to open it up for any questions, comments, concerns.

Sergeant Corey Solferino (Washoe County Sheriff's Office):

Are we looking to identify any funding streams or anticipated funding streams for these, because obviously we know, being on the end-user side, how financially burdensome these are for everyone's budgets. Is there anything that we're looking out there specifically to target?

Chair Butler:

We always do look at federal funding in terms of the National Instant Criminal Background Check System Act Record Improvement Program is a federal grant that we use. We apply for it almost every year to help with technology improvements. We also apply for the National Criminal History Improvement Program (NCHIP) grant that we look to make some of these changes. Those are a couple of sources right off the top of the bat. The other thing that I think this Subcommittee needs to explore, and when we talk on agenda item XII about what we want to talk about for future meetings is, if we do want a combined super system, do we want to, in a sense, pool our money into some sort of new entity, division, what have you, so that gradually, maybe—I don't want to freak anyone out, but let's just say SCOPE goes away and we have this one big super system now. Does that money then come to the state and we've got one big super system and whatever that operating cost gets funneled into one program here at the state, or if we don't want to propose that, do we want to just incrementally start moving files up to the state with funding from the locals? Those are I think all things that we need to identify when we talk about barriers and obstacles to system integration and part of what we're tasked with. Ms. Tarrats, I hope that didn't freak you out.

Ms. Tarrats:

We're a long way from that right now.

Chair Butler:

Okay, great.

Ms. Tarrats:

Maybe a little.

Chair Butler:

The other thing too is, depending on the amount of money that we're talking about and the timeframes that we're talking about, it is a statewide system, general fund is something that also may be a viable funding source, depending on where we want to go and how much we want to ask for, so again, it's going to depend on what the desires are of the full Advisory Commission, what those recommendations look like and how much money we're talking about over what period of time.

I don't see any other questions. I believe that takes us to agenda item XII, discussion of potential topics, dates and locations for future meetings. One of the things that my division in conjunction with the Administrative Office of the Courts did several years ago is we engaged MTG Management Consultants to conduct a study on a regional data-sharing model in feeding up information to the statewide system, and I'm thinking that might be time to resurrect that study and get it out to this Subcommittee for review, and take a look at whether or not that's something or a model that we might want to pursue. I thought it was a pretty comprehensive study when it was done. I think that was completed somewhere around the 2012-ish timeframe, right about the time we had our own path to NCJIS modernization study, so it might be time to resurrect that and put that on a future agenda. The other thing I was thinking of in terms of future agenda items is I'd like to have presentations from Las Vegas Metro, from Washoe County in terms of—and from Lander County, Undersheriff Quick, if you could, just to get kind of the views of a smaller law enforcement agency. What systems do they have? What information is captured in those systems? What do they use them for? Who uses them? That kind of thing, so we can kind of start identifying what exists out there. What's the lay of the land look like, because I don't know that we can really move forward and fulfill our mandate of what barriers are there to sharing unless we really know what the landscape looks like. Also, I think getting a view from the Administrative Office of the Courts, what do things look like from a court perspective, maybe someone from the Eighth Judicial, Second Judicial, what do they use, because I know they don't necessarily use the AOC system as a smaller court. Those are just kind of things that I have rattling around in my head and just want to open that up for comment.

Sergeant Solferino:

I think that's a great idea, obviously to see what the operating systems of this Subcommittee's coming together to see what's available, what's out there, what works, what doesn't work and what we're financially responsible for, so on Washoe County's side of the house, I'll make sure that we have a presentation ready for the next meeting on Tiburon and our system.

Chair Butler:

Fantastic. Thank you very much.

Jackie Bryant (Clerk of Court, Second Judicial District Court):

On behalf of the Second Judicial District Court, we'll present.

Chair Butler:

Terrific, thank you.

Steve Grierson (Court Executive Officer, Eighth Judicial District Court):

The Eighth District will also prepare a report.

Chair Butler:

Fantastic, thank you.

Ms. Tarrats:

Las Vegas Metro will also have a report for you.

Chair Butler:

Wonderful, thank you.

Undersheriff Quick:

Of course we're happy to prepare a report, but if we could also perhaps have someone from the state side with the Spillman System since they cover quite a few agencies as well?

Chair Butler:

That's a terrific suggestion, and I will make sure to pass that along to our state's coordinator. I think that's absolutely necessary. That looks like it'll probably be a pretty full agenda next time around, so I know there's some urgency to get moving with this, particularly if we're going to come up with recommendations in time for the next legislative session. There is a full Advisory Commission meeting next Wednesday. What are folks' availability maybe that first or second week of April? Is that too soon? What's the feeling? What I'll do is, if I could impose on LCB staff to reach out to the membership and propose a few dates and then have everybody get back and then we'll get some dates finalized. Any other potential agenda topics for the next meeting?

Mr. Grierson:

I just had a question. Are there statewide systems that currently exist that are what you're calling like the super systems or the mega systems?

Chair Butler:

To my knowledge, really NCJIS is the statewide system, but we do duplicate some information, like the warrants file for instance is duplicative. There is a federal warrants file, so do we really need one at the state level? Some of the criminal history information exists, like in SCOPE, but it also exists in our system, so I think no, there really isn't one big, super system, but NCJIS is probably about as close as we can get. I think that's something that we need to look at is, do we want one big super system, and if so, what is it going to contain, who's going to manage it, how are we going to fund it, etc.? Those are some of the things that we need to identify as a Subcommittee.

Undersheriff Quick:

Is it possible for your staff to reach out to other CSOs in other states to see if other states have a single system model? That might give us a little bit more information if there's anything out there available.

Chair Butler:

Yes, I will volunteer my staff to do that. Any other discussion before we move onto public comment?

Ms. Tarrats:

I'm not sure if I can go back to the NCJIS Modernization. Am I able to ask a question about that?

Chair Butler:

Absolutely.

Ms. Tarrats:

I was just wondering, I know that the FBI is upgrading their system to NCIC third generation, so for the modernization, will there be any consideration as you move forward as to what the changes will be with NCIC when you're looking at your new system?

Chair Butler:

That's an excellent question. The next generation identification, called N3G, is an initiative of the FBI to modernize NCIC, which was built in the late 1960s, so it's very old. I wasn't able to attend the last working group meeting on the federal level, so Undersheriff Quick may have a little bit more information than I do on this, but the last I heard with N3G was, they are still in the midst of finalizing the requirements and the functional design. It's going to be a lot of money. Depending on what happens with the federal budget and the current administration and funding of the FBI, it's kind of uncertain at this point. It definitely is our desire, and I have been keeping our IT support in the loop of what's going on with N3G so that they're aware of it as we do look to replace our state Message Switch to make sure that it's going to be compatible with whatever N3G rolls out. It's kind of hard, because it's kind of an unknown quantity right now since the FBI has not really moved forward with it other than conceptually. Undersheriff Quick, do you have any other information on N3G?

Undersheriff Quick:

No. They're still in the state of conceptualization, and they haven't given a lot of details at this point or really hard timelines.

Chair Butler:

Ms. Tarrats, does that answer your question? Sort of-ish?

Ms. Tarrats:

Yes, thank you.

Chair Butler:

I will now open public comment.

Eric Spratley (Executive Director, Nevada Sheriffs' and Chiefs' Association):

I realize you can't respond to public comment, but I will offer that the Nevada Sheriffs' and Chiefs' Association—I will query our membership and see what kind of systems are used by member agencies throughout the state, and I'll at least have that for you at your next meeting if you desire to have that.

Chair Butler:

That would be wonderful, thank you so much. Seeing no further public comment, I will adjourn this meeting at 1:58 p.m.

RESPECTFULLY SUBMITTED:

Jordan Haas, Secretary

APPROVED BY:

Julie Butler, Chair

Date: _____

Agenda Item	Witness/Agency	Description
A		Agenda
B		Attendance Roster
Agenda Item V A-1	Bryan Fernley, Commission Counsel	Senate Bill 35, 2017
Agenda Item V A-2	Bryan Fernley, Commission Counsel	Senate Bill 277, 2017
Agenda Item VI	Julie Butler, Division Administrator, Central Repository for Nevada Records of Criminal History	Overview of the Nevada Criminal Justice Information System
Agenda Item VII	Greg Fisicaro, Business Process Analyst Supervisor, Records, Communications and Compliance Division	Overview of the NCJIS Modernization Program
Agenda Item VIII	Julie Butler, Division Administrator, Central Repository for Nevada Records of Criminal History	Prior NCJIS History and Structure of Committees
Agenda Item XI A-1	Julie Butler, Division Administrator, Central Repository for Nevada Records of Criminal History	Prior NCJIS Advisory Committee Bylaws
Agenda Item XI A-1	Julie Butler, Division Administrator, Central Repository for Nevada Records of Criminal History	Prior NCJIS Northern/Southern Technical Subcommittee Bylaws