

**MINUTES OF THE
ARKANSAS CRIME INFORMATION CENTER
SUPERVISORY BOARD**

MARCH 2, 2012

The meeting was held in the ACIC training room at One Capitol Mall in Little Rock. Members present:

Mr. Jack Lassiter, Chairman
Chief Danny Bradley, Vice-Chairman
Hon. Dustin McDaniel by Mr. Will Gruber
Sheriff Larry Sanders
Mr. Larry Robinson
Colonel JR Howard
Mr. J. D. Gingerich by Mr. John Stewart
Mr. Harold Pointer
Sgt. Lloyd White
Mr. Ray Hobbs
Mr. David Guntharp
Mr. Marc McCune

Also attending were: Jay Winters, ACIC Director; Brad Cazort, Administrator of the Field Services Division; Bill Clinton, Administrator of the Operations Division; Mary Rogers, Administrative Services Manager; Warren Readnour; Ralph Ward, ACIC; Lesa Winston, ACIC; Rick Stallings, ACIC; Karen Burgess, ACIC; Angie Tatom, ACIC and Judy Lepper, ACIC.

Chairman Jack Lassiter called the meeting to order and asked for approval of the minutes of the December 2, 2011 regular meeting.

MOTION: That the minutes of the December 2, 2011 regular meeting be approved.

MOTION BY: Sgt. Lloyd White

SECONDED BY: Sheriff Larry Sanders

VOTING: Unanimous

Introduction of Mr. Jay B. Winters, Sr, ACIC Director, effective February 20, 2012.

Mr. Jack Lassiter introduced ACIC's new Director to the Board and turned the meeting over to him.

Mr. Jay B. Winters, Sr. thanked the Board for their vote and their confidence and said that ACIC was a great place and will continue to be and said that he appreciated the Board's support.

Operations Committee Report

New Terminal Site Applications

Bill Clinton reported that the Operations Committee met prior to the Board meeting to consider several workstations and said that there was a list of those in the packets. Mr. Clinton said that the first one was from Maumelle District Court and that the Committee recommended approval.

Chairman Lassiter said that what has been done in the past is give everyone a moment to look over the applications to see if they have any questions for Mr. Clinton.

Bill Clinton said that basically the Committee recommends approval of all of the applications. He mentioned that Bryant District Court said their employees were not currently subjected to fingerprint-based background checks. We would suggest that they comply with the ACIC regulation and that should they be approved, that they subject their employees to fingerprint-based background checks.

David Guntharp asked Mr. Clinton about the Ola Police Department's application where they only have one terminal. Mr. Guntharp asked if it was in the Sheriff's office or if they wanted to put one in the city police department.

Bill Clinton said that up until now the Ola Police Department has had all their service performed for them by the Yell County Sheriff's Office. They would like to be able to handle their own transactions.

David Guntharp asked if we wanted to approved Ola Police Department and Administrative Office of the Courts.

Bill Clinton said that concerning Administrative Office of the Courts, that workstation would be used primarily for working errors. They submit dispositions to us that we match up against the arrest records on the criminal history file and we have come up with a number of errors that didn't match up. So that workstation would be used to reconcile their testing.

Chairman Lassiter asked if anyone needed more time to look at the applications or if there were any additional questions.

MOTION: That the applications for Maumelle District Court, Guy Police Department, Ola Police Department, Administrative Office of the Courts and Bryant District Court be approved with the understanding that Bryant will have to perform fingerprint checks.

VOTING: Unanimous

Division Status Reports

Operations Division

On-Line System

Karen Burgess gave the report and stated she was named in December as the Operations Manager as Sharron Stallings replacement. She also stated that Stormy Cook has been named the Network Control Supervisor replacing Karen Burgess. She said there is currently an opening in Network Control. Ms. Burgess included a handout in the packets and mentioned just a few things that they have been doing. She said that Bill Clinton has been teaching her how to reconfigure the workstations. We have configured a MDT and a mobile data terminal server for Maumelle Police Department. She said they have also configured a second workstation at Ward Police Department, a MDT at Jackson County and another one at Pulaski County. Ms. Burgess stated they have been working with ISD and CPI on some things that are coming up. She said that she refers to tokens on her handout, but this is the advanced authentication. We're issuing this to some of the agencies. We have all kinds of statistics listed, and you can read through those.

The second page of her handout is mainly speaking about missing persons. You can see that there are 214 missing persons in the NCIC system that was entered by Arkansas and they've been there for over a year. We also have 81 unidentified persons and 80 of the 81 have been there for over a year. It's also broken down on the next page and on this page as well by missing persons, age, race, and gender. Ms. Burgess said she thought those were some interesting statistics. The next couple of pages are broken down by month. This is basically what Network Control does. They count all of the photos that they send out via fax or email. They count how many stolen vehicles that they've processed, how many offline searches they've performed, and so forth.

Mr. Guntharp asked on the missing persons if police departments enter that information. He said in terms for verification if they are ever found or if the family finds them that they would have to go to the police department and inform them that they know where this person is. That would be the only way we would ever know to take them out of the system.

Karen Burgess answered that's correct. She said there's also a validation process. Every agency has to validate their records and during the validation process is where the police department would contact the reporting party and ask if that person has been found.

Mr. Guntharp asked how often that was done.

Ms. Burgess answered it is done monthly. Basically an agency validates 1/12 of their records on a monthly basis.

Mr. Guntharp said that once they go in, they stay in forever.

Ms. Burgess said that was correct, until the agency deletes them.

Field Services Division

Training and Legal

Brad Cazort reported and included a training handout in the packets and said he would be happy to answer any questions. On the legal side, Mr. Cazort reported that ACIC is not currently involved in any litigation at this point.

Vine/JusticeXchange

Rick Stallings reported for Vine, JusticeXchange, AlertXpress, LeadsOnLabs and Field Agents, etc., and included a handout in the packets. Mr. Stallings gave a short brief on the Field Agents and stated that they continue to train and work with agencies on trouble calls. One of the things they've started again this year is audits. They're well into the audit cycle completing those and visiting with those sites as well.

For Vine/JusticeXchange, etc. we have our SOMS Lite conversion to DSI Lite well under way. We're about halfway through with that. The person that was assigned to do that deployment resigned so I'm trying to take up some of that slack and get that out there as soon as possible. Hopefully we'll have that done by summer. We have 14 sites remaining. Mr. Stallings said that there are Vine/JusticeXchange and AlertXpress classes scheduled again for April 24, 25 and 26 in West Memphis, Little Rock and Hope. He invited the Board members to attend. We have a user group meeting. These are going to be our super-users. Mr. Stallings has asked Appriss to come down and meet with those people that use JusticeXchange the most and see if they can give them any feedback on how it's going, how it's working or any suggested changes. That's going to take place July 24 and July 25 here at ACIC in the training room. The Board members are welcome to attend that as well.

The Registration Link was fully deployed in December of 2011 and is working really well. We are connecting those victims as the offender moves from the facility to parole and back from parole to incarceration. VINE Courts upgraded the interface with the AOC and is progressing. We should have that completed by the end of April.

For VINE registrations on inmates we have 44,364 and on parolees we have 2,839. JusticeXchange users were down from the last report. We have people who go inactive after 90 days if they're not using it all the time. They may not need it on a daily basis, but we have 3,789 users. DL photos through JusticeXchange were 12,036 accessed for January. Mr. Stallings said he got February totaled yesterday morning and January and February DL photos accessed through JusticeXchange were a little over 23,000.

The EPIC Submissions were at 25 for the year so far, which is really low. Mr. Stallings said there were some LeadsOnLabs statistics on the back as well.

Sex Offender Registry

Brad Cazort reported and included a handout of the current numbers for the Sex Offender Registry for this quarter as compared to last quarter and pointed out that while we added 263 people to the registry we actually had a decrease in the number of delinquents and the number of address unknowns. Arkansas continues to be way ahead of the pace of the rest of the country for

the small numbers that we have. That's due to the active work of the police agencies involved and the U. S. Marshall's Office.

Criminal Justice Information Division

Arkansas Incident Based Reporting System (AIBRS)

Ralph Ward provided a handout and discussed the current NIBRS program status. He stated there were 269 agencies cleared to report and two agencies are testing. Mr. Ward said that they are wrapping up the collection of 2011 data from agencies throughout the state. Regarding the NIBRS repository upgrade, they are loading 2011 data and almost in sync with the Legacy system. They are currently in the process of testing the 2010 data with the FBI and awaiting their results.

Mr. Ward stated that regarding the Law Enforcement National Data Exchange (N-DEx), they currently have processed and submitted over 64,000 records for the North Little Rock Police Department since April of last year. They are conducting testing for the Little Rock Police Department. The N-DEx file format is complete and we're now working with the XML conversion with the FBI to get that submitted to them. We are in the early stages of planning to implement N-DEx at the Pulaski County Sheriff's Office for this year. SAC has received and processed several requests for statistics. Some of the more notable requests are from the Arkansas State Fusion Center, the DEA Gulf Coast High-Intensity Drug Trafficking area, FBI Intelligence Section, AR Office of the Drug Director, UALR Department of Criminal Justice, Center of Point Innovation out of New York, Arkansas Coalition of Domestic Violence and the Office of Juvenile Justice and Delinquency Prevention in Washington, D. C.

Mr. Ward also said that the last five pages on the handout are the preliminary race and sex for people arrested in 2010. Some of the highlights involving juveniles are 106 murder arrests and 13 percent juvenile, 235 forcible rape arrests and 13 percent of those were also juveniles. There were 14,000 drug arrests with a little over 1,000 being juveniles. A quarter of the arrests for all of the NIBRS theft offenses were also juveniles.

David Guntharp asked Ralph Ward what RMS was.

Ralph Ward responded that it is the Records Management System and is what the police and sheriff departments enter their incidents into.

Mr. Guntharp asked what the difference was between the old and the new.

Mr. Ward said that's what he was referring to when he was talking about the Legacy system and the upgrade. We converted from two different vendors. We have one system under one vendor. Back in 2006 we licensed with another vendor and have gone through a whole process the last several years of converting that database and all of those records that predate 2003 to the new database and the new system. We then have to test all the information to make sure that it all converted properly and test the edits and validations that the FBI requires us to do. When a record comes in from a police department, it's checked through our validation system for errors to make sure that the record is complete.

Mr. Guntharp asked if these two departments were in a test phase.

Mr. Ward thought he was talking about what we are doing here at ACIC. Those two agencies are testing their RMS. Basically they talk to their programmers to make sure that the file that comes to us is in the correct format. The FBI requires that it be in a set format. Once that file format is correct, we run it through our test system. Once we do that, then we give it the ok after three months of testing. It has to be under a four percent error rate. Then that agency can be approved.

Mr. Guntharp asked if we would have to do that with all the agencies.

Mr. Ward responded yes, and that we have been doing that since 2002.

Mr. Guntharp said so these are not new.

Mr. Ward said that is correct. He said that one has acquired a new system and one has realized that they wanted to get certified. Most want to submit their crime statistics to us because it enables them to obtain grants. These grants include Block grants, Cops grants, and Byrne grants that require three years of crime data reporting to ACIC through the U. S. Department of Justice.

Criminal History Division

Lesa Winston reported and said that in your packet you will see the Criminal History report for January and February. She proudly announced that the Criminal History Division is now working two months out. Fingerprints received are at the bottom of the package. Statistics say 3,900 but it is actually more than that, because she did not include the JNC's because it was actually 5,500 within the last two months.. We're working on a system to get that done. We are cross-training in criminal history. We are currently down 3-1/2 people because we have one person who works for the FBI is on medical leave. She is coming in some to help out. We are also awaiting freeze approval on three grant positions and we will be back in full force once those positions are filled.

Ms. Winston also touched on an audit that FBI Nics had that randomly picked 450 people to see if they were in compliance. Ms. Winston was happy to report that there were only 7 that were not in compliance. This was due to the fact that the charges at the time were a felony and later reduced or dismissed so we did not take them out of the system. That has been completed and submitted back to the FBI in a timely manner.

Administrative Division

Mary Rogers reported for the Administrative Division and stated that she included a short financial report in the packets. She was happy to report that the new year budget was approved.

Information Services Division

Jay Winters reported that all of the Board Members had received an email that Letha Osborne had sent to Angie Tatom. Letha has not been feeling well and is in the hospital. Angie has been in touch with her quite a bit and talked with her this morning and Letha is doing considerably better. Mr. Winters said that Letha will be back but we don't know exactly when, and that she

asked that everyone continue to remember her in your thoughts and prayers. She's doing good and actually called in this morning to make sure we were taking care of business.

Mr. Winters stated there was a handout from the software services team and also the network services team. He said he would be happy to answer any questions, but thought that most everything was self-explanatory. The main thing he pointed out is that ISD is continuing to work on upgrades and security issues to make sure that everything is safe and secure. They've been doing quite a bit of work on the security side and changing some of it from one language to a better language.

Legislative Update

Brad Cazort reported that our budget passed the Senate yesterday. That was the second requirement and it is now on its way to the Governor's desk for signature. A very important note is back in 2009 the Legislature tasked us with managing the Scrap Metal Log but gave us no money to do it. Since 2009 we've had bits and pieces of money from the Attorney General's Office or one-time funds here and there that have kept it going. Representative Williams this year has put in an amendment in our budget that passed creating a dedicated funding source to pay for the Scrap Metal Log from here on out. We won't have to keep asking for money to pay for that. That's all passed and awaiting the Governor's signature.

David Guntharp asked Brad Cazort where that money was coming from.

Brad Cazort answered that the money is coming out of an ADEQ grant pool of money that is designated for recycling. That's how they tied it in, since Scrap Metal can be recycled. Apparently the pool of money is approximately \$15,000,000 and is for grants for cities and counties for recycling programs. ADEQ is not issuing the grants for the full amount every year. They are taking the first \$125,000 a year out of that \$15,000,000 pool to pay for the Scrap Metal Log.

David Guntharp asked if there was Special Language in the budget for that. He asked if we would have to get that every year and Mr. Cazort answered yes.

Chairman Jack Lassiter said that looking at the agenda he didn't think we approved the minutes of the January 31, 2012 Special Meeting.

MOTION: That the minutes of the January 31, 2012 Special Meeting be approved.

MOTION BY: Mr. David Guntharp

SECONDED BY: Colonel JR Howard

VOTING: Unanimous

Warren Readnour stated that this is the first meeting of the year, and we need to approve the expense reimbursement stipend as authorized by statute. This is a formality that the Board has to do the first meeting of each year.

MOTION: That the stipend of \$85.00 be adopted.

MOTION BY: Sgt. Lloyd White

SECONDED BY: Sheriff Larry Sanders

VOTING: Unanimous

Chief Danny Bradley said he had a question regarding the access to ACIC data on PDA's. He asked where we were on that.

Bill Clinton answered that it was on our test system and has been tested. It's been moved to the production system and tested. Mr. Clinton asked the FBI security team to look at it and make sure it meets their security requirements. He thought they were working the bugs out of it right now. Mr. Clinton stated there was some mention whether we wanted it to be used on personally-used devices. We decided not to allow that.

Chief Bradley said he thought that was a good idea. He said that in the private sector there's a big debate going on about who owns that data. Internally we're readdressing that issue.

Bill Clinton said that his concern is that if someone has it on their personal device and they quit, it could be weeks or months before we find out if they're employed by that agency or not. They still have access to that data.

Chief Bradley said that you get into issues. He wasn't sure how that would apply to ACIC data, but thinks it would apply. Internally, there are a ton of departmental-owned devices but there are others who have their own devices. From time to time they use those devices for official business. What are my rights as the chief to access that? Who owns that data once they take pictures or record information on the personal device? It's a huge legal and administrative issue.

David Guntharp asked Chief Danny Bradley what they were looking at in their policies to address that issue.

Chief Bradley said the way it stands right now in his department, if you bring a device to work, you have no expectation of privacy to it. If you bring it to work then we try to protect your personal data as much as possible but if we have a need, that device is available for our inspection. If you don't want us to inspect it, don't bring it to work. In police work it's critical that you not have some private network of information out there. I guess that may be subject to some legal standing. There are a few court rulings out there. Chief Bradley thought that it's a very important issue of policing out there. He warns his employees that if they do that they open their personal device up to the discovery process in criminal cases and maybe even the FOI act to some degree.

Warren Readnour stated that if you utilize a personal device for official business, and send email or use your home computer for work-related purposes, then that part is FOI-able. Not your whole computer. You can't circumvent the FOI.

David Guntharp asked the question that if they made a FOI request for anything that you did in your business on your home computer, then you would need to print and provide that.

Warren Readnour responded yes. If they requested all the emails that Jay Winters had sent out since he became the Director, he should gather all those up.

Chief Danny Bradley asked about the litigation and discovery process

Warren Readnour answered that potentially they could ask for a complete copy, but that's a different standard. They would have to make an argument that was relevant and have some basis for that.

Chief Danny Bradley stated that he became concerned because if you have a major case like a murder and through the discovery process you have supplied all your evidence. Then later it's discovered that there's some officer out there taking video with his personal camera. All this electronic gadgetry is great but it sure creates some issues for administration.

Warren Readnour stated that as a defense attorney you want that videotape. It's considered to be a product of that law enforcement officer's job. That's the only reason he was there, because he is a law enforcement officer.

Bill Clinton said we have issues where they request DL photos and we can get it out to that person in the field. The department may not have any departmentally-owned phones but the officer has his own phone that he can get email on. So they were emailing ACIC info out to the person in the field. It was not encrypted and not protected. Personal technology is sometimes ahead of departmental technology and it's kind of hard to say you can't use that.

Jay Winters reminded the Supervisory Board about the upcoming ACIC Conference to be held on May 8-10 at the Hot Springs Convention Center. The conference agenda is currently being put together. Mr. Winters stated that Walt Coleman of Coleman Dairy is speaking and also speaking will be people with the Terrorist Screening Center.

Chairman Jack Lassiter asked if there was any other business.

Other Business

There was no further business and the meeting was adjourned at 10:38 a.m.

ACIC Director

Date