

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

SEPTEMBER 10, 2010

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

Mr. Jack Lassiter, Chairman
Sergeant Lloyd White
Mr. Marc McCune
Chief Danny Bradley
Hon. Dustin McDaniel by Mr. David Raupp
Mr. David Guntharp
Sheriff Larry Sanders
Mr. Ray Hobbs
Mr. Harold Pointer
Judge Michael E. Irwin

Also attending were: Danny Ormand, ACIC Director; Rhonda Richardson, Administrator of the Administration Division; Letha Osborne, Administrator of the Information Services Division; Brad Cazort, Administrator of the Field Services Division; Bill Clinton, Administrator of the Operations Division; Ralph Ward, Administrator of the Criminal Justice Information Division; Sharron Stallings, ACIC; Rick Stallings, ACIC; Benny Battles, ACIC; Billy Adams, 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 June 4, 2010 regular meeting.

MOTION: That the minutes of the June 4, 2010 regular meeting be approved.

MOTION BY: Chief Danny Bradley
SECONDED BY: Sergeant Lloyd White
VOTING: Unanimous

Chairman Lassiter said that the Board needed to elect a new Vice-Chairman, either at this meeting or we can put it on the agenda for the next meeting.

Mr. Harold Pointed nominated Chief Danny Bradley as the new Vice-Chairman. Sergeant Lloyd White seconded the motion.

Chairman Lassiter asked if there was any discussion. Voting was unanimous and Chief Danny Bradley is the new Vice-Chairman of the ACIC Supervisory Board.

Chairman Lassiter introduced Judge Mike Irwin, who is the new representative of the District Judge's Association. Chairman Lassiter has known Judge Irwin for a long time and said he is an excellent District Court Judge. When asked how long he had been on the bench in Heber Springs, Judge Irwin said fourteen years. Chairman Lassiter thanked him for joining the Board.

Chairman's Appointed Committee/Act 346

Chairman Lassiter said that the next matter on the agenda is a report from the Committee appointed to review some problems with entering Act 346 data. The Committee met by phone last week.

David Raupp spoke for the Committee and gave a short oral report. The committee met after speaking with Chairman Lassiter. The committee has one conclusion and two suggestions. The conclusion is that there is not truth in advertising with respect to Act 346 probation, principally because the statute on sealing provides that people who get sealed records can tell the world that they don't have a criminal record. There is a particular statute that says that and that's the practice. But that's not really truth in advertising when you look at Act 346 as it's been recodified by legislation passed in 2007. An Act 346 judgment is nevertheless a conviction for certain purposes, both during the pendency of the probationary period and after. There is a lack of truth in advertising between two statutes that seems to contradict. Our two suggestions are to deal with that as we can within the agency if it's cost effective, which is for the agency to identify Act 346 judgments. We think that would be a solution that would be useful to both sides of the bar and to the world at large. It would be a truth about what the judgment was that was entered with respect to someone who pleads guilty under Act 346. Mr. Raupp said he didn't know how expensive it might be to create a field like that. That's our first recommendation.

Our second recommendation is beyond the scope of this agency or any single agency. The recommendation suggests legislative correction to the problem with truth in advertising. There's a committee on the state bar that would be a start. This Committee made the last correction or the last modification of these statutes. It's a standing Committee. That was the sum of what the Committee concluded.

The solution of adding another drop-down box under our disposition reporting, with a field that says either convicted, dismissed, nolle prossed and there are several options there that could be selected for any disposition. Add another drop down that says under Act 346 probation, during the pendency of the probation. Letha Osborne indicated that it could be easily done at a minimal cost.

As to the legislative part, the only thing I would add is that Judge Alice Lightle, Little Rock District Judge, is trying to convene a committee, to look at the entire spectrum of expungement laws, and how they interact. That group has not met yet.

Chairman Lassiter asked if there were any questions from the Board or a motion.

MOTION: That the ACIC Supervisory Board accept the report.

Chairman Lassiter said that the question is should we move forward to direct the agency to change the field or do we want further information on that.

MOTION: That the motion to accept the report be amended to take whatever actions are necessary to pursue the recommendations of the committee.

MOTION BY: Chief Danny Bradley
SECONDED BY: Sheriff Larry Sanders
VOTING: Unanimous

Division Status Reports

Operations Division

New Terminal Site Applications

Bill Clinton reported that the Operations Committee met just prior to the Board meeting to consider five applications. The first one was Haskell Police Department. The Committee reviewed this application and recommended approval. The next one is Charleston Police Department. They are seeking an MDT for one of their cars. The Committee recommended approval of this application. The next one is Allport Police Department. At this time they are seeking approval for a Mobile Data Terminal. The ACIC agent visited with Allport and has some security concerns. They are not operational. The agent believes that with some education, concerns would be alleviated and the Committee recommends that they be approved with the provision that the security concerns of the agent be rectified before the installation of the terminal. The next one is Grady Police Department, seeking an MDT. The Committee recommends approval. The final one is Gurdon Police Department. They are requesting a couple of the MDT's and one desktop application for their agency. The Committee recommends approval of that one.

Chairman Lassiter wanted the Board to take a moment to look over the applications before voting.

Chief Danny Bradley asked Bill Clinton if the Haskell Police Department was available 24 hours to confirm hits.

Bill Clinton responded that they have worked out situations like that before. Lowell Police Department was the first one. They had a full access terminal which is operational eight hours a day. They can enter warrants, delete warrants, etc. They still have a relationship with the county. When they are not operational the county has the capability to delete warrants, etc.

Chief Bradley asked if the county is actually the ORI.

Bill Clinton said that the main ORI is still directed to the county with a secondary ORI for that police department.

Ray Hobbs asked what the security concern was with Allport. Is it information, equipment?

Bill Clinton said that when the agent went by to visit with them initially there was nobody there. The lady next door came over and said that she tried to help out whenever she could. When the agent went by the second time the people were there. It is a one-man department, part-time, certified only, and he takes his vehicle home with him. The agent did say that she thought with some education and working with these people that her concerns would be alleviated.

Chairman Lassiter asked if there were any other questions. He said the Board had had an opportunity to review these and wanted to bring them to a vote.

Bill Clinton said the first one was Haskell Police Department and the recommendation is to approve.

MOTION: That the application for Haskell Police Department be approved.

VOTING: Unanimous

The next one is Charleston Police Department and the recommendation is to approve.

MOTION: That the application for Charleston Police Department be approved.

VOTING: Unanimous

The next one is Allport Police Department and the recommendation is to approve with the installation only taking place after any security concerns are satisfied.

MOTION: That the application for Allport Police Department be approved.

VOTING: Unanimous

The next one is Grady Police Department and the recommendation is to approve.

MOTION: That the application for Grady Police Department be approved.

VOTING: Unanimous

The last one is Gurdon Police Department and the recommendation is to approve.

MOTION: That the application for Gurdon Police Department be approved.

VOTING: Unanimous

On-Line System

Sharron Stallings reported and included a copy of her report. They have been testing the Lowell Police Department on a new CAD mobile system. We have been updating the message switch to include some new ORI's. Most of those are the mobile system. We tested a new NICS transaction with NCIC. The field staff has installed additional workstations at several departments around the state. We have conducted quite a few offline searches. We did an archive search for the Fort Smith Police Department on the Missy Witt murder that happened in 1994. They had developed some new leads and we looked back on our microfiche for 1994 through 1996 and were able to provide them some information on a suspect vehicle.

Also we received a request from the National Center for Missing and Exploited Children requesting DL photos, driver's license information and vehicle information on 35 suspects on the Morgan Nick case. We received a request from Jonesboro Police Department. Suspects were going into hospitals around the state stealing purses. They would get the identification and credit cards and rack up a big bill on those credit cards. They had a photo of the car, a white Dodge Magnum, along with a photo of a woman that the Wal Mart security camera had captured and a male. Ms. Stallings provided them a search on the white Dodge Magnum. They thought it was probably from the Pulaski County area even though they were in the Jonesboro area working. They also sent a picture of the female. We ran her through our facial recognition software. Ms. Stallings tried it but because the photo was fuzzy she didn't get a good match on it. She contacted Rick Stallings because he had been to several classes on facial recognition and might have something that would help. In the meantime, she contacted Jonesboro and asked if they would be interested in letting us send out an email blast. We can send it to all the police departments and sheriff's offices in the state. They said yes. Ms. Stallings contacted Rick Stallings and he sent out an email blast with the photos and immediately started getting hits back. Sherwood had provided the name. It was the individual that Sherwood had suggested and they were able to make an arrest. They sent out an email last Friday saying that it all worked out. They got the vehicle, the man and the woman and solved a bunch of cases.

We have 128,227 warrants in NCIC. There were 7,135 protection orders in NCIC, 14,252 vehicles and 7,782 sex offenders in NCIC. We are doing surveys in agencies to determine the need for advance authentication. Most of those will probably be the mobile users. We have key fobs that we are going to use.

Field Services Division

Training and Legal

Brad Cazort stated that there was nothing to report on legal at this point. In your packet you have a short notice on training for the second quarter. For our mobile classroom, all the computers we ordered are in, have been set up and are being tested. Our first full test for a mobile classroom will occur July 13th in El Dorado. We have mobile classrooms scheduled through the end of the year and the beginning of next year. The result being, once we get it up and running we will have a class in this facility, the next will be on the road, and get our classrooms out and about to local police agencies. We also have the statistics for our testing and training in this last quarter. We gave 400 Level I tests with a 77 percent pass rate, 44 Level II tests with all passing, and 171 Level II refreshers with an 85 percent pass rate.

Vine/JusticeXchange

Rick Stallings reported for Vine, JusticeXchange, AlertXpress, LeadsOnLabs and Field Agents, etc. and included a handout. The field agents, along with their normal duties, have been doing ORI validations confirming that the chief official is what we have on file. Also to confirm the address, phone number, and all the pertinent information that we need at ACIC to maintain contact with the agency. We are also looking for the LASO, which is Local Agency Security Officer of the terminal agency coordinators and all the pertinent information. We are also asking them to check with their agencies as to who needs advanced authentication. They have been assisting Benny Battles with finding locations for the Mobile Training Class and assisting teaching those as well. They have also been looking into the misuse reports and JusticeXchange and the actual ACIC system.

Vine/JusticeXchange has some classes coming up on October 26-28. They are in Mountain View, Little Rock at the Pulaski Technical College South Campus, and Magnolia at the SAU campus. We have had several requests for AlertXpress. Grant County and Sherwood Police Department asked Appriss to load over 20,000 people in the system for notification that those agencies may use. Craighead County is going to be using it to notify their SWAT team. Mr. Stallings stated that he gave a presentation for Pope County 911 and the Quorum Court on AlertXpress. He found some interesting figures in Vine. In September of 1998 when we started the Vine system, there were 88 new registrations for the month of September and only 12 victim notifications. This past August was our highest month for new registrations, with 2,917. We have come a long way since 1998. We have for that one month 12,385 notifications. Currently in the system with Vine we show 33,905 people registered for some sort of notification on people who are incarcerated and 2,523 people who are on parole or probation. In JusticeXchange we have 2,900 people who are active users. Tammy Newcomb and I have been looking at all of our users in JusticeXchange cleaning up those files. We are making sure those people are employed where they say they are employed. We have this year had 94,716 DL photos accessed through JusticeXchange. Mr. Stallings is looking at adding Texas DL photos.

This year for Leads on Labs, we have reported 612,064 transactions and of that only 9 percent were either blocked or not completed.

Sex Offender Registry

Brad Cazort reported that there was a chart in the packet on current sex registrations. There are 10,301 currently registered sex offenders. The breakdown is about half of them are in compliance and then there are those who are delinquent. He wanted to remind the Board that delinquent does not mean we don't know where they are. They are just late in verifying their address at this point. Mr. Cazort pointed out that they only have 351 address unknowns. Those are the people who have absconded. Arkansas has a low percentage compared with other states. Part of that he attributes to a very active U. S. Marshall's intervention in trying to find those people once they disappear in Arkansas. Once the Adam Walsh Act mandated that U. S. Marshall's assist, all of the U. S. Marshall's Offices, particularly the U. S. Marshall in the Western District of Arkansas, has been extraordinarily active in tracking down missing sex offenders. Our numbers for those who are actually missing is pretty low compared to nationwide.

Mr. Cazort said that they did apply for a grant from the SMART office, which is a division of the Justice Department which oversees sex offender registries. He said they have been notified that they will be awarded that grant and the funds should be coming in October. It is a \$300,000 grant and we intend to try to actually automate the registration verification and change of address system for sex offenders to be able to do it electronically. It will provide every police agency and sheriff's office who handles sex offenders with both an electronic signature pad and a webcam to take pictures and send those as well. We hope to have all the forms online. We are working on scheduling a meeting with the Chief's Association, Sheriff's Association, Attorney General's Office and the Prosecutor's Association because it's going to necessitate a couple of changes in the law. One big benefit is we envision the ability to no longer need to send out verification notices by certified mail, which currently costs \$70,000 annually. If we can have a means where we can provide the offender with a date that they are signing for electronically that says they need to be back, that would accomplish the same goal as the certified mail. They used to get on the stand and say "I didn't know I was supposed to be here". So we provide electronic means, change the law, but we want to talk to all the parties who have a stake in that and get their ideas. We have just been notified that we have been awarded funds.

Chairman Lassiter asked if there were any questions.

David Raupp said that Sharron Stallings mentioned that there were 7,700 offenders in NCIC and then 10,000 in our registry. He wanted to know what the discrepancy was.

Brad Cazort responded that we keep all the sex offenders in our system. If they move out of state, deceased, deported, etc. they stay in our system. When they move out of state in the federal system they are no longer shown as being in Arkansas. When they are deceased they are taken completely out of the Federal system. So we keep better numbers than the Feds because they are only looking at actual registrations and physical locations. The big discrepancy is that we maintain our records of people who have moved out of state, have died, or who have been deported.

Criminal Justice Information Division

Arkansas Incident Based Reporting System (AIBRS)

Ralph Ward provided a handout and reported that the current program status for NIBRS is that there are 272 agencies that are required or requesting to report to NIBRS. 264 of those agencies have been cleared to report NIBRS. We have four agencies that are currently testing and three are currently working with their vendor to report. One is still trying to acquire a vendor.

Regarding the NIBRS repository upgrade, we are loading the 2009 data submissions to the new repository and we are using that data to test with the FBI. We have also loaded the 2008 NIBRS reports and the crime statistics are now on our website. Also on our website we have the new court orders and petitions.

Criminal History Division

Mr. Ward provided a handout for the Criminal History Division. For the month of August, the total number of records entered was 8,486; total records quality controlled was 5,569; total

records verified was 7,683 and the total number of AFIS transmission worked was 10,530. From January through today the Criminal History Division has processed over a half a million records. The Criminal History employees are also continuing to cross-train and are also conducting task-oriented team meetings to formulate a Criminal History SOP.

Chairman Lassiter asked if there were any questions.

Chief Danny Bradley said that his agency has asked a few times for a report on what we have submitted. He asked how difficult and how expensive that would be. Chief Bradley asked if ACIC, maybe on a quarterly basis, could send the reports to the reporting agencies of what they had submitted electronically. His agency does their own internal reporting, but all of their NIBRS data is submitted electronically, so they don't have that.

Ralph Ward responded that we could provide that electronically. All we have to do is create a report from date to date and the same thing we have on our website could be provided in a quarterly format.

Chief Bradley said that he thought that would be beneficial to reporting agencies. He said that things we track internally in our department don't exactly match what we may be submitting as NIBRS. As an administrator, he would like to know what we have submitted as compared to the things that we are tracking internally.

Mr. Ward said we could probably post those somewhere where people could just log in and look at them, download and print them. He said he would look into that and get something back to him.

Chairman Lassiter realized that he had skipped over Brad Cazort's presentation of Training and Legal.

Brad Cazort stated that he did not have a sheet for Training, but in the past quarter we have given 525 Level I tests with 88 percent of those passed. We have given 71 tests at Level II with 66 passing and a 93 percent pass rate. We have given 222 Level II refresher courses and tests. We had an almost 91 percent pass rate.

Mr. Cazort referred to Legal and said that there was really nothing to report other than ACIC is peripherally involved in a civil suit. He received a FOI request for information about searches conducted by the Little Rock Police Department against a certain person which was denied because it is not accessible under FOI. The attorney called him and wanted to know how to get it. Mr. Cazort told him that basically the only way is with a court order. He has filed a lawsuit under Rule 7, which allows for proceeding to try and preserve evidence. It is essentially alleged in the lawsuit that there may be information or evidence that suggests that the Little Rock Police Department is harassing him and asking the court to have the ability to get to the evidence. He didn't serve ACIC or the City of Little Rock correctly. Warren Readnour will be at the hearing. Mr. Cazort has never seen it filed before, but the rules certainly provide for it. Other than that interesting peripheral civil case, we don't have any other legal matters going on.

Administrative Division

Rhonda Richardson reported for the Administrative Division and included a spreadsheet of ACIC'S budget, with expenditures through the end of August. On the back page there is a Criminal History Enhancement Program grant for \$310,000. We have ordered and received 210 pc's and printers that are being deployed into the field.

David Raupp asked why there was no budget for the Scrap Metal, or was that not funded?

Ms. Richardson responded no. ACIC has no appropriation but Darren Williams is working on that.

Information Services Division

Letha Osborne gave the report for the ISD Division and provided a handout. She said that we have 210 computers that ISD has been moving with the help of the rest of the agency. We have been getting those ready, ghosting them, preparing them and putting them in Rick Stallings area for his staff to take out. We have been doing our normal maintenance and making enhancements to our other projects. We were involved in an Attachmate audit. We had one license over. We have been making enhancements as needed. New laws will pop-up like the temporary tag law. We react and do what we have to do. We have all of that taken care of and everything is up and running.

Mobile Classroom Presentation

Benny Battles gave a presentation on the Mobile Classroom. He said that what he is presenting is an impromptu recreation of what a mobile classroom might look like. He titled it ACIC Mobile Classroom Contact Reality. This essentially began as a conversation as to how we could better address the needs and concerns of our students and their performance evaluations that they submit at the end of each class. They were begging for more hands-on and more time. On a personal note, I can remember 15 years ago when I would go to an ACIC class and Level II was still a three day class. With all of the technology that we have brought on board, we have crammed it all in and compacted it down. We have not allowed any additional time to absorb it and to get hands-on practice. So their comments were very much on key. Out of that conversation came the notion to extend the class to a four-day format and offset the added cost to the agencies. We would develop a mobile classroom and deliver the class to them rather than have them come to Little Rock.

We went to work and redesigned our internal exercises for each module and make the challenges more realistic of what students might experience after class in the real world. We got with Network Control and asked them to give us the most repeated trouble calls that they see on a repetitive basis on warrant entries and develop an exercise based on the actual calls for service. The result was a more challenging exercise.

The questions is how are we going to pay for it? The day we started talking about this was the day we did the first round of budget cuts for all state agencies. Our Director discovered that ACIC had an excessive DIS overcharge for services and committed the balance of this toward the purchase of laptop computers and peripherals to establish the mobile classroom. We want to get other people involved so we went to the field agents and asked them to go out and scour their

areas to find potential site locations in their areas. We got ISD involved in actually designing the class and coming up with the specs, what it would take, the cost, and mapping how we would make this work. Basically, we could clone what we do in this room or we could pack it up and take it on the road. We met with the stakeholders, DIS, and presented them with what we would like them to do, i.e. pay for everything, in lieu of the overcharges and gave them the bottom line on the hardware needs and the classroom was essentially ordered. From there we got a report from ISD on what technical needs would be when we actually went out to the classroom. We meshed that with what we got from the field agents to make sure that it would work. A site was chosen for each field agent area, one per month, and decided to alternate a Little Rock class and a remote class. And we do that continually until we have completely helped those field agent's areas. A schedule was developed and our first class was scheduled for El Dorado in July and was sponsored by Union County Sheriff Ken Jones.

Mr. Battles said that the police department didn't have the facilities that were needed, but Sheriff Jones acquired South Arkansas Community College. We had use of their facilities, ideal parking and catered lunch. Mr. Battles stated the Sheriff Jones knows how to get people to come to class.

We scheduled class for July, posted and advertised it. The classroom finally arrived and the whole design of the concept of how this classroom was going to work existed.

Delivery was made. They inventoried the equipment, got the laptops cloned and images created by the ISD staff. They gave us a quick class on how to make it talk, how to plug it all in and make it work. We tested here in the office and it worked perfectly.

We hit the road and the training unit started to travel to the remote sites that the field agents had identified and try to look for potential bugs. We knew no two situations were going to be alike. So we try to go out and troubleshoot in advance. We went to Hot Springs Police Department and failed. We couldn't get it to talk.

The next week we went to Russellville Police Department and it failed. We stopped in Conway on the way back and it failed. Finally, we went to El Dorado and it failed. We could not get it to talk outside of this building. May 26 we still had not had a class field tested consistent and the deadline is approaching to either make this thing go or call it off. Essentially we couldn't get it to work. We ran across Dr. Kim Kirk, the Chairman of the IT Department at Southark Community College. We were told in advance that they were available for \$100 an hour to assist us. I walked into his office and asked if there was anything he could do to help us get this thing working. We can't do it, they can't leave Little Rock, we're here on-site and we can't make it work. Dr. Kirk has a very customer-friendly philosophy. He never mentioned the \$100 an hour. But he discovered as a result of being there that the University had failed to pay his customer support on his system. Had his system gone down, he would have been dead in the water with all of the remote campuses. Five hours later he fixed our problem and didn't charge us a dime. He gave us a course of action and a business card, along with a phone number where you can go to any community college in the state of Arkansas and it will work.

We got it working and we went to the sites that had previously had failures, and one by one they started working. We created a cheat sheet. If we go out and it fails, here's who to call and the contacts. Our first class was in El Dorado in July. We have since taught a class in August, and these were huge successes. The students loved the relaxed atmosphere of being at home in their own back yard and their test scores have increased in the mobile classroom environment. In Little Rock our class average this year has been 88.8 percent and in the field it has increased to 91.2 percent. So I consider that a marked improvement.

For the rest of 2010 we have classes next week in Russellville and Rogers in October. We already have 21 booked for the Rogers class. The beauty of this, we're limited here by the number of computers and chairs that we have. We have enough computers and we are only limited by how many people we can physically get in a room. We have determined that the Rogers class can accommodate up to 40 people, so we are going on the assumption that if 40 people show up, we are going to teach 40 people. We're already over the limit of what we can do here.

We have a class in Forrest City in November and it will be the first one we have done at the Arkansas State Police Troop Command Post. If it works there like we think it will, we can go to any of the ASP Troops, plug in and go right to work. And then we will do one in Conway in December.

The only gaping hole is in the Jonesboro area, so they are getting the first one in January of 2011. We're switching to the four day format. We are going to add additional exercises, possibly some additional material and try to accommodate other aspects. We'll make changes to it to accommodate the extra day. Additionally, next year there will be two mobile classes for every class here. Rather than every other, there will be two and then one. Mr. Battles anticipates covering a complete round of the state every six months.

A new trainer has been hired and will report for duty on September 20, 2010. Her name is Jennifer Tomlin. She comes to us from the Department of Correction and has an extensive background of training with both the state DOC and previously with the U. S. Department of Homeland Security.

Mr. Battles had the calendar for next year and a class is scheduled every other week. With the number of laptops that we have and the ability to pack it up and go we can actually have simultaneous classes going on. An entire agency could be trained at one time.

Beyond that we have only talked about training but we could additionally take this mobile classroom to disasters or emergencies. If there was another Morgan Nick for instance, we could take multiple terminals to an area if they needed to do multiple entries. Or if a disaster such as what occurred in southwest Arkansas occurs, assuming that we have not lost total infrastructure, we could actually set up a mobile environment to assist agencies with additional computers.

The system is set up with internal security. It is wireless. To get on the wireless system you have to have a long password, but secondary to that, these machines can even be recorded by

Mac address so that if I brought my personal laptop in, even if I had the password I still cannot get on the system unless it recognizes that has been registered with us.

Other Business

Mr. Lassiter asked if there was any other business.

There was no further business and the meeting was adjourned at 10:54 a.m.

ACIC Director

Date