

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

SEPTEMBER 9, 2011

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. David Raupp
Sheriff Larry Sanders
Mr. Larry Robinson
Judge Michael E. Irwin
Colonel JR Howard by Lt. Col. Tim K’Nuckles
Mr. Marc McCune
Mr. J. D. Gingerich by Mr. John Stewart
Mr. Harold Pointer
Sgt. Lloyd White
Mr. David Guntharp

Also attending were: Danny Ormand, ACIC Director; 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, ACIC; Lesa Winston, ACIC; Rick Stallings, ACIC; Sharron Stallings; ACIC; Lt. Cora Gentry; 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 3, 2011 regular meeting.

MOTION: That the minutes of the June 3, 2011 regular meeting be approved.

VOTING: Unanimous

Introduction of new Board member

Chairman Jack Lassiter introduced Mr. Larry Robinson as the newest Board member. Mr. Robinson represents the Governor’s Office and replaces Mr. Gary Grimes. Chairman Lassiter welcomed him to the ACIC Supervisory Board.

Operations Committee Report

New Terminal Site Applications

Bill Clinton reported that the Operations Committee met just prior to the Board meeting to consider one application, which was included in the packet. The application was from Arkansas

Health Center Campus Police Department located in the Benton area. The Committee recommended that this application be approved.

David Guntharp asked Bill Clinton if the Arkansas Health Center Campus Police Department was picking up all costs for the terminals.

Mr. Clinton responded yes. He said that everyone pays \$18.00 a month for the license fee, any connectivity fee and any transaction costs. In essence, they are paying all costs.

MOTION: That the application for Arkansas Health Center Campus Police Department be approved.

MOTION BY: Mr. Marc McCune

SECONDED BY: Sheriff Larry Sanders

VOTING: Unanimous

Division Status Reports

Operations Division

On-Line System

Sharron Stallings reported and included a handout. She stated that they continue their normal duties, some of which are listed on the handout. The Message Switch has been updated to include new ORI's, new workstation ID's and new charge codes as a result of the Legislative session. Ms. Stallings stated that a long list of new charge codes had to be added to our switch. We have added several new workstations, Hope and Cross County to name a couple. We have also been working with ISD to update the Messenger forms and sex offender forms to add some additional fields. Ms. Stallings said the Operations Division continues to process off-line searches. Last week, Karen Burgess was able to help the Little Rock Police Department locate one of their most wanted. He was wanted for capital murder and they felt that maybe the individual had been checked somewhere in Tennessee or Texas. Ms. Burgess did an offline search to check our system to see if Texas or Tennessee had inquired on this individual. She located an inquiry made by Fort Worth and he was in jail. They had arrested him for driving a stolen vehicle. She then notified Little Rock and they were then able to capture one of their most wanted.

Lonoke County is recovering a lot of stolen vehicles in their area. Many of these vehicles don't have VIN numbers or they have partial VIN's and we've been helping them identify those stolen vehicles.

Ms. Stallings included information on the missing persons/number of missing persons. One last thing she mentioned is that 54 agency audits have been completed with 11 more scheduled throughout the year. She said they will have to go back and re-audit 8 departments because they failed their audit. Their record quality wasn't as it should be or their training wasn't up-to-date.

Bill Clinton spoke and said that this would be Sharron Stallings' last Board meeting, with her scheduled to retire at the end of October. He stated that Sharron and he started within a few days of each other 29 or so years ago. Mr. Clinton said he's had the pleasure of working with a lot of dedicated people at ACIC, but he doesn't think there's anybody that has a better work ethic or is more dedicated to the job than Sharron Stallings. He said she will be sorely missed.

Field Services Division

Training and Legal

Brad Cazort included a training update in the packets. He pointed out that since the last Board meeting we have conducted training to over 500 people in Level I, Level II or CENSOR classes. At the bottom of that page, the report states that we are close to completing an Instructor Development Class that we will be offering. Hopefully by the first quarter of next year we will have a TAC training class to train all of the TAC's, all of the various law enforcement agents, to make sure they completely understand what their duties are as TAC officers in our system.

Vine/JusticeXchange

Rick Stallings reported for Vine, JusticeXchange, AlertXpress, LeadsOnLabs and Field Agents, etc., and included a handout. He pointed out that Lauren Reynolds is the new southwest Arkansas field agent. She replaced Jerry Brooks.

With Vine/JusticeXchange there are some training classes going on in October. Mr. Stallings included one of the registration forms in the packets for anyone who would like to attend. They are going to be held at the Arkansas State Park lodges and their facilities this year, partnering with the Department of Parks and Tourism.

We are also holding some classes for LeadsOnLabs and the Metal Theft System. Those will be in western Arkansas this round, and we hope to hold some more in the other parts of the state.

Mr. Stallings said that there are over 40,000 people currently registered in the Vine system. JusticeXchange users continue to fluctuate, with people getting on/off the system. So we have about 3,800 people registered and actively using JusticeXchange to look up individuals.

One of the things with LeadsOnLabs that Mr. Stallings wanted to point out on the spreadsheet or table was that in March we had the items in bold on the handout, and the total transactions for March was a little over 86,000. The total transactions for August dropped to 16,000 and total sales blocked were 174. The Legislature passed Act 588 this year which required the pharmacist to actually visit with the person purchasing the pseudoephedrine product, and that had decreased the sales. Wal-Mart has gone to prescription only. They will not sell the pseudoephedrine products to anyone over the counter without that prescription. At Walgreen's, you have to have an active account with them for about six months. You had to have a prescription of some sort filled before they will visit with you about it. And you have to actually know that pharmacist. At Kroger, you have to have an active account with them within the last three months. So if you're sick and get a prescription, and six months later you need some Claritin-D, you're not going to get it from them unless you have an active account. It's driving it to where you actually have to have that prescription at some point in time. The Prescription

Drug Monitoring Act was passed, and pseudoephedrine products do not fall underneath that, and law enforcement has to go through some other hoops to actually get access to that system. They have to attend the training class and prove they actually have an active investigation going on. But it doesn't actually include that in that system. Mr. Stallings said that Wal-Mart is going to prescription only, so he didn't know if they would actually have to log that in the log book. Law enforcement is missing out on some of that information.

Brad Cazort followed up on that Act and said that he thought the Act had some serious constitutional questions and he talked to Warren Readnour, and the Attorney General's Office agreed. One of the reasons that the number of sales has decreased, is the Act mandates that the only way you can buy ephedrine or pseudoephedrine is to have a valid Arkansas driver's license or Arkansas ID. This means if you are a college student here from another state and you have a Texas ID or you are traveling through the state, if you don't have an Arkansas ID or Arkansas driver's license you are not authorized to buy ephedrine or pseudoephedrine in the state. He said there are probably some serious constitutional questions if and when somebody challenges that.

Sex Offender Registry

Brad Cazort reported and included several graphs. He said that the top graph is the Sex Offender Registry total as of September 1, 2011 and the graph at the bottom is the one he had at the last Board meeting. First of all, we have increased a little over 200 offenders in that quarter, which is about average. That is a total of between 800-900 offenders a year that we add to the system. Mr. Cazort wanted to point out that the number of compliant is now over 50 percent. That is the first time that the compliant rate has been over 50 percent, given all of the different categories. Secondly, you'll notice the number of delinquent is 1,071 as opposed to three months ago being 1,186. So not only is it a smaller percentage of those who are delinquent, it is actually a smaller number. Two things have happened in the last quarter that we can contribute all of this to. First and foremost is that we have the CENSOR system up and running. The Electronic Sex Offender registry is now up and running and installed at every law enforcement agency and the Department of Corrections. Mr. Cazort thinks that has had a huge effect on the ability to maintain surveillance and knowledge and location of sex offenders. This has caused the number of those delinquent and particularly those who are address unknown to go down. Secondly, we also have created a QSOR query enables law enforcement agencies to get an instant feedback of all the offenders that we have registered, the court that we're showing under their jurisdiction and the status of those. It allows any law enforcement agency that is dealing with the supervision of sex offenders to get an immediate picture of what they have under their authority and under their control. Mr. Cazort said he thinks the two of those together have done a great job and we're going to continue to increase sex offenders and hopefully continue to decrease those who are delinquent and address unknown.

David Guntharp asked Brad Cazort if ACIC was picking up anything on states reversing some of the trends of the sex offender registry.

Mr. Cazort answered that there was certainly discussion about relaxing some of the residency restrictions on sex offenders. There are so many residency restrictions in place and there are places that sex offenders cannot live, so they essentially go into hiding. The thought is, we don't want them in hiding. We want to know where they are. There is some discussion nationally

about states looking to relax some of the residency restrictions. The 1,000 feet or 2,000 feet as the case may be, in order not to drive them underground. Mr. Cazort said there's an active group in Arkansas that's seeking to relax sex offender laws. They were present at the last Legislative session and it is headed by a sex offender who registered as a Level III sex offender in Arkansas. Mr. Cazort thought their motives were probably a little more personal than looking at the big picture. The discussion is certainly there that the sex offender laws may at this point be counterproductive and are driving people underground and therefore we don't know where they are.

Criminal Justice Information Division

Arkansas Incident Based Reporting System (AIBRS)

Ralph Ward provided a handout and reported on the current program status for NIBRS. 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 changing vendors and we are recertifying them right now. Also, we are advising J2 Software Solutions, which is the RMS vendor for the state fusion center with reporting NIBRS. Regarding the NIBRS repository upgrade, we are loading the data to an arrest table and we will continue to test with the FBI. We currently have processed and submitted over 56,000 records for the North Little Rock Police Department since April through the Law Enforcement National Data Exchange (N-DEx). We are in the early stages of planning to implement N-DEx at the Little Rock Police Department and the Pulaski County Sheriff's Office. The Statistical Analysis Center (SAC) has received and processed several requests for statistics. Some of those more notable statistics have come from the Arkansas Democrat-Gazette, FBI Intelligence Office, the Japanese Consulate in Tennessee, Arkansas State Fusion Center, Department of Homeland Security, Attorney General's Office, Channel 11 and the Arkansas Minority Health Council. You will also see on the last page of our handout the Preliminary Offenses by Contributor Report for 2010. The counts are preliminary state totals and included 137 murders, 11,000 aggravated assaults, 15,000 drug and narcotic violations, and 30,000 burglaries.

Criminal History Division

Lesa Winston included a handout which shows the number of things the Criminal History Division entered. Ms. Winston said that Criminal History does not have a backlog and that they have a to-do log. This means that they are a month or so out, but are currently up to date.

Administrative Division

Danny Ormand reported for the Administrative Division and said that Mary Rogers normally would do this presentation, but her husband has been sick and she was with him today. Mary Rogers included a budget handout in the packets and we are doing very well on money this year. We were able this year to finish the carpeting throughout the building. You will notice that some of the expenses are blank. This is for the expenses that we will pay at the end of the year. That's a one-time payment. As far as money, we are doing very well. We are keeping an eye on the tax revenues. They have been down for a month or two, and if it continues that trend we may have to make some adjustments as far as our budget. Last year we made two adjustments on it but we were prepared to do that. So we have stuck a little money back and anticipate that we may have

to cut the budget some. If we do, then we will be prepared to do that and not stop any of our services.

David Guntharp asked Mr. Ormand if ACIC ever got caught up with AASIS on payments.

Danny Ormand responded that he was not aware of any problem that we currently have with AASIS. When Rhonda Richardson left, Mary Rogers moved into that position. Ms. Richardson came back and worked a few days at the end of the year, and she didn't mention any problems. She said we were all squared away.

Mr. Ormand stated that the Administrative Division has implemented a new program where we can keep up with all of our equipment through the State of Arkansas. Each year it seems like we always wind up with a computer, screen or something that we can't find. This last year there was one we bought in 1999 that we couldn't find. We knew it had been sent to Marketing & Redistribution, but there wasn't a paper trail that said it went there and it was sold at M&R. We have a new system for equipment/inventory called WASP. The IT Division has been working on that. You will see some bar codes on different things. State Police is now using that. That AASIS number will be the inventory number now, so we won't have two sets of numbers we're dealing with. They have been implementing that throughout the building. They started on the fourth floor and are gradually working in each office to get that lined up. Mr. Ormand said that will be a big help when the auditors come back, because we will know exactly where that piece of equipment is.

Information Services Division

Letha Osborne reported for the ISD Division and stated that they have finally implemented Act 346. A few years ago we received a grant to perform a web-based Act 346 which has been recently implemented. Now we are getting the courts and everyone signed up where they can go online and check to see if someone has previously been under Act 346. That went up in the month of August. We have been trying to save money. Our new network services manager has switched from Blackberries to iPhones, and that's going to save us \$8.00 a user per month. We are constantly looking for ways to save money. In that same respect we implemented the new imaging system. We had stopped using DIS and have gone to LaserFiche, and we're now doing our imaging in-house, which is going to save us a lot of money.

David Guntharp asked how it saves money on the \$8.00 for the iPhones from Blackberries.

Letha Osborne answered that we were using \$8.00 additional on the Blackberries, and our network services manager would have to tell you how he did that. The Blackberries were actually costing more than the iPhone.

Danny Ormand said the \$8.00 was the monthly charge that DIS was charging for the Blackberries.

Litigation Update

Brad Cazort reported and stated that since the last Board meeting, ACIC has been sued. It's not a major case. Pulaski County Circuit Court, 3rd Division, in the case of Joshua Hill vs. ACIC and

Larry Jegley. Mr. Hill is a registered sex offender and moved here from the State of Louisiana. Mr. Hill's argument is that for his conviction in Louisiana, the judge specifically said he did not have to register as a sex offender. But according to him, his probation officer or someone went ahead and registered him. When he moved to Arkansas, because he was on the Louisiana registry, he was required to register in Arkansas. He wants off of the Arkansas registry. We pointed out to him that once he's on the registry, the only way off it is by court order. So he has filed this action seeking a judicial determination pursuant to everything that happened in Louisiana, that he is not required to register here. Mr. Cazort said it has been filed and answered. It is being handled by the Attorney General's Office and they don't anticipate there will be a trial. The facts are pretty clear and the judge will make the decision whether he has to register or not. They are not seeking any monetary damages of any kind.

Chairman Lassiter asked if there were any questions for the Board.

Judge Mike Irwin answered that he had a question. He stated that yesterday the Administrative Office of the Courts sent us a form on the vehicle title suspension and the AOC said that it had come through ACIC. Judge Irwin asked what kind of a workload that causes for ACIC. He said he received an email last night and thought it said that ACIC had furnished the form to the Administrative Office of the Courts for the judges to fill out and send in.

Bill Clinton asked what it did.

Judge Irwin answered that it had to do with the suspension of vehicle registrations from this last Legislative session. He was not even aware that something like that had been done. There was a form that had to be filled out and sent out by the clerks within just a few days. Judge Irwin thought Brad Cazort might be familiar with that. He asked Chief Danny Bradley if he was familiar with that.

Chief Bradley answered that he was not.

Judge Irwin said he would look at it some more.

John Stewart said he would look at it when he got back to the office.

There was no further business and the meeting was adjourned at 10:30 a.m.

ACIC Director

Date