

**NORTH CAROLINA CRIMINAL JUSTICE INFORMATION NETWORK (CJIN)**

**GOVERNING BOARD MEETING**

**THURSDAY, OCTOBER 13, 2005 9:00 AM**

**NC Department of Correction**

**Enterprise Conference Room**

**Raleigh, North Carolina**

CJIN Governing Board Members

Glen Allen	Dwayne Patterson *
Tommy Allen	Thomas Payne
Robert Brinson	Robert Rader *
James Godfrey	Jerry Ratley
Rex Gore	Leslie Stanfield
Jane Gray *	Woody Sandy
Chip Hight	George Tatum
Richard Little	Larry Ware *
Doug Logan	Bill Willis
Richard NiFong *	

*Note: \* Denotes member absent*

CJIN Executive Director

Carol Morin

Others Present

Byron Harris	Denise Thomas	Robin Pendergraft	Larry Dix
Nels Roseland	Andrew Schoenberg	Jim Dolan	Wyatt Pettengill
Greg McLeod	Jesus Lopez	Rebecca Troutman	James Bennett
Bill Stice	Larry Dix	Mike Crowell	

CJIN Chairman Robert Brinson called the North Carolina (NC) Criminal Justice Information Network (CJIN) Governing Board meeting to order at 9:07 AM. Introductions were made around the table and the audience. Mr. Brinson stated that Mr. T. Craig Wright had resigned and we were waiting for another appointment to be made for the remainder of his term.

**Approval of Minutes**

Minutes from the September 1, 2005 meeting were approved.

**Election of Officers**

Chairman Brinson turned the meeting over to Mr. Richard Little for the election of officers after thanking Mr. Little for coordinating the nominating committee. Mr. Little said there were three nominations for Mr. Brinson as Chair, one nomination for Chief Glen Allen as Vice-Chair, and two nominations for Mr. Little for Vice Chair. Chief Allen declined his nomination. Mr. Little said he would serve this term as Vice-Chair until someone else expressed an interest in serving as Vice-Chair. Mr. Brinson said he would also serve this term as Chair until someone else expressed an interest in serving as Chair.

**MOTION: To nominate Bob Brinson as CJIN Chair and Richard Little as CJIN Vice Chair. MOTION SECONDED AND CARRIED.**

**CJIN Executive Director Report**

Ms. Carol Morin stated that she has finalized the "Proposed Facilitated Topics for the CJIN Governing Board"

based on feedback received to date. Ms. Morin said the CJIN Administrative Assistant vacancy is presently posted and she was looking for volunteers to either pre-screen qualified applicants or be part of the interview team. Ms. Morin mentioned that the NC Board of Ethics Newsletter, dated October 2005, the eCitation trademark letter October 4, 2005, and the Department of Crime Control and Public Safety's electronic payment verification form were included in the Board members' folders.

### **Statewide Automated Fingerprint Identification System (SAFIS) Migration Legislative Report**

Mr. Brinson reviewed the legislative requirements of the SAFIS replacement legislative report as cited in NC Senate Bill 622 Section 15.9 which states that NC Department of Justice (DOJ), in consultation with CJIN, shall provide a status report by November 1, 2005 with the five items cited in Section 15.9.(b). Mr. Brinson recognized State Bureau of Investigation (SBI) Assistant Director (AD) Jerry Ratley, SBI Assistant Special Agent in Charge (ASAC) Wyatt Pettengill, and DOJ / Information Technology Division (DOJ/ITD) Project Manager Mr. Andrew Schoenberg. Mr. Brinson said that the DOJ-CJIN SAFIS legislative report subcommittee had met three times since the September 1, 2005 Board meeting. Mr. Brinson thanked Chief Glen Allen, Sheriff Tommy Allen, Mr. Little, Mr. Eddie Caldwell from the North Carolina Sheriffs' Association, and Ms. Morin for representing CJIN's interests on the subcommittee. Mr. Brinson reminded Board members that this legislative report was more along of the lines of an approach rather than a traditional project plan. Mr. Brinson stated that as the project moves forward, a project plan will be developed. Mr. Brinson then turned the presentation over to SBI Director Robin Pendergraft.

Director Pendergraft said that there was a very short deadline for the November 2005 legislative report and there hadn't been enough time to make the rounds and get agreement from everyone. Director Pendergraft said that if there were issues and differences of opinion, then we should document them and move forward. Director Pendergraft then reviewed the importance of SAFIS to the State of North Carolina and described what life would be like without SAFIS. Director Pendergraft also thanked the Board for its past and continuing support.

SBI AD Ratley gave a presentation titled "CJIN Governing Board Meeting SAFIS Joint Status Report" dated October 13, 2005. Mr. Brinson recommended that the Board walk through the legislative report and give feedback by sections.

Major Woody Sandy asked if the legislative report should emphasize more the fact that SAFIS is used for non-criminal justice background checks (i.e., child care workers and health care workers). There was a discussion on how to present Major Sandy's suggestion in a positive manner rather than having it appear that the legislators have created a dependence on SAFIS but they haven't funded it.

Further discussion focused on stating that the report was missing the discussion of investing what SAFIS needs for the future, including any operational deficiencies, and instead focused on replacing what it has today. The decision was made to have a paragraph added that would note that the report does not address any future expansion needs. There was discussion on highlighting what life would be like if the automated process of SAFIS goes away tomorrow. Ms. Rebecca Troutman asked that the report recognize the contribution from the counties. There was discussion on the statues governing which fingerprints were saved in the SAFIS system. It was decided that this was a valuable discussion to have but outside the scope of the present reporting requirements. Ms. Denise Thomas stated that DOJ and CJIN were asked to write this legislative report because DOJ came forward with a large request for money and the legislators weren't sure if the right technology and funding approaches were selected. Ms. Thomas suggested that the Board address policy issues regarding fingerprinting in the annual report. Mr. Brinson led the Board in a brief discussion on what a modern SAFIS would look like.

There were several questions regarding business recovery and the fourth site, which is located within the SBI. The data conversion costs were also discussed. DOJ Deputy Chief of Staff Nels Roseland stated that Florida spent close to \$6,000,000 on their data conversation costs and NC's might be as high as \$3,000,000.

Ms. Morin asked for clarification on the one Full Time Equivalent (FTE) that was requested.

There was a lengthy discussion on the proposed funding source of increased court fees. Clerk of Superior Court Thomas Payne, Superior Court Judge Chip Hight, District Attorney Rex Gore, and Mr. Little went on record that they were opposed to court fees being used to fund SAFIS. They stated that SAFIS is not a direct court function and people get fingerprinted that never appear in court. Several examples were given showing how hard it is for the courts to collect the court fees that are applicable today. Mr. Little said there wasn't enough time to research other funding options like the VIPER legislative report did. Mr. Little asked DOJ what other funding sources were considered. AD Ratley said DOJ selected funding sources that had a reasonable link back to fingerprinting. Mr. Jim Godfrey stated that criminals needed to pay more than law abiding businesses who are paying to fingerprinting their prospective employees. Mr. Roseland and Ms. Thomas briefly reviewed the statutes that govern fingerprinting.

Dr. Bill Willis stated that he wanted the report to cite funding options but to leave it to the Office of State Budget and Management to decide whether to lease or purchase the equipment. The Board discussed the need for a recurring funding stream for operations as well as a funding stream to replace equipment. Ms. Troutman asked that the wording for the 'supplemental' grant program be changed to something that conveyed the message that it was more mandatory than optional. Mr. Roseland described how he envisioned the supplemental grant program to work. Ms. Morin asked that the report state whether Dept. of Homeland Security funds could be used to fund the SAFIS replacement or not.

Mr. Brinson stated that DOJ would ideally like a co-signed submission memo that there is 100% agreement on the report.

**MOTION: To have the SAFIS migration legislative report cite that the Board does not recommend an increase of court fees as a funding option and to remove the recommendation of the leasing option. MOTION SECONDED AND CARRIED.**

#### **Other New Business**

Mr. George Ake, National Institute of Justice, said that the focus today is on open standards and it could be difficult to get federal funds for projects that have a closed and proprietary solution. Mr. Ake also said that the CJIN X-FILES project was receiving favorable feedback and he looked forward to hearing about the pilots.

Ms. Morin said that due to the high cost of fuel and its limited availability at times, the December 8, 2005 Board meeting will be cancelled. The next Board meeting will be in January or February 2006.

The meeting was adjourned at 12:20 PM.