

Kansas Criminal Justice Information System (KCJIS) Committee
September 8, 2014 1:30pm-3:30pm
Room 269, Judicial Center
APPROVED

Committee Members in Attendance:

Ed Klumpp, Kansas Association of Chiefs of Police, Chair; Jim Clark, Kansas Secretary, Department of Administration (via Conference Call); Leslie Moore, Kansas Bureau of Investigation (KBI), Lt. John Ostenson sitting in for Capt. Lance Royer for Kansas Sheriff's Association; Kelly O'Brien, Office of Judicial Administration, Pam Moses, Kansas Association of District Courts; Amber Norris, Kansas County & District Attorney Association (via teleconference), Capt. Randy Moon, Kansas Highway Patrol (KHP); Capt. Brad Gilges, Franklin County SO/911.

Others in Attendance:

Gordon Lansford, KCJIS Director; Brad Burke, Counsel, KDOL/KGGP; Don Langford, Wichita PD; Lt. Justin Bramlett, Kansas Highway Patrol (KHP); Don Cathey, KHP; Joe Mandala, CIO, KBI; Nicole Hamm, KBI, Asst. Dir. ISD; Mary Chambers, KDOC, Juvenile Services; new guest: Capt. Chris Kostelac, OPPD.

Welcome, Approval of the Agenda, Approval of the Minutes, Guests:

Ed Klumpp, KCJIS Chair; called the meeting to order and noted there were some changes to the agenda per his earlier email.

Additions to the Agenda:

- Ed noted he would like to add a discussion on "funding" to the agenda and ask if there were other changes or additions?
- Gordon Lansford noted that he would like to update the committee on the status of the states' email RFP even though it is not final.
- Capt. Moon indicated that when the by-laws are discussed he would like to discuss something he believes pertains to both the KCJIS Statute as well as the by-laws.

Guests:

Ed asked a new guest to introduce himself (Capt. Chris Kostelac, OPPD) and then asked the room to introduce themselves.

Approval of the Minutes:

Joe Mandala noted that in 9b of the minutes, RAPID is "being certified" and is not yet certified.

Brad Gilges moved to approve the amended minutes and was seconded by Leslie Moore.

Capt. Moon asked how to modify the July minutes to represent the "intent" of the assignment of the "Administrative Agencies", regarding items 5d and 5e. Originally Leslie Moore was appointed to represent the Administrative Agency for the current year, which was followed by Capt. Moon being elected to fill the vacant "past chair" position. There was discussion regarding the definition of even and odd years. Secretary Clark indicated we need to determine if we are operating on a fiscal year versus a calendar year. Ed Klumpp indicated it could be addressed in the by-laws discussion, which will indicate the answer to the question upon completion, and if we need to modify the July Minutes we can do so. There was agreement with the plan. Ed asked for a vote on the original, amended motion. Motion carried.

Financial Report:

Gordon Lansford indicated in the absence of Capt. Royer and his designee, there should have been no change to the financials as there were no transactions to his knowledge.

Subcommittee Reports:

- **Circuits Subcommittee** reported by Chair Leslie Moore:

The subcommittee has had one full meeting and one abbreviated meeting just prior to the KCJIS Committee meeting. There were several separate potential solutions to the shortage in circuit funding:

- 1) Ask the KBI Director to submit an emergency request to the Governor's Office to fund the shortfall for FY15.
- 2) In future years request that the funding percentage be increased from the current 2.9% to around 5%. There needs to be verification that the increase request is an accurate need.
- 3) Clarification on whether the fee was supposed to cover both the lines and the routers? There was confirmation today that it did include coverage of both.
- 4) LPA audited OITS and discovered that they were charging KCJIS approximately \$1300 per month less than they should have been, which is why we had the recent jump in monthly costs for the lines.
- 5) Another option discussed was changing the statute to allow an agency to "opt out" of using a KCJIS provided line and to make it revocable.
- 6) In addition it was recommended that if any agency has a KCJIS line that they actually use the line as primary and use alternate lines as backups.

Ed asked what effect this would have on 911 and Leslie said they were informed by the NG911 Committee that those lines were not in use now as backup lines.

Randy noted that about a third of the agencies poled thus far are not using the KCJIS lines. There was discussion of whether an agency would be using the KCJIS line as a primary or a backup. Further discussion of how to determine same with Secretary Clark suggesting monitoring "usage" from OITS and would pursue same.

- **eStatute Subcommittee** reported by Chair Ed Klumpff:

Ed reported that there have been meeting of the eStatute subcommittee with another one tomorrow. There will be a meeting of the subcommittee soon and there will be a meeting where each "function" or "agency" to meet with the development team to determine needs and further develop the plan. The development should proceed quickly with a goal of being operational around the first of the year.

- **Policy and Procedure Subcommittee** reported by Chair, Capt. Randy Moon:

Capt. Moon advised that the FBI recently published the Advisory Policy Board (APB) most current update to the CJIS Security Policy, up to Version 5.3. This will cause a need for the KCJIS Policy committee to meet and potentially update as required. The policy is available on the KCJIS Launch Pad and has a summary up front, and links to the FBI information. Ed will email the summary of the updates. Capt. Moon didn't believe there were any APB changes that would affect KCJIS so it would be a simple "replacement" of the current FBI version with the newer version. Capt. Moon would like the subcommittee to meet with a goal of getting the policy to the KCJIS Committee for introduction in October, with review in November, and approval in December to be published effective January 1, 2015.

KCJIS Funding:

Ed asked if everyone had received his email notifying that the KCJIS grant had not been approved by the KCJCC? He noted that Secretary Clark and he had met last Friday to discuss and consider options. In essence the current grant runs out the end of September 2014 so there is no funding from the 1st of October, 2014 until the end of June 2015. That would need to be followed by appropriate action by the legislature to fund KCJIS in future years. They feel confident in accomplishing that.

Secretary Clark noted that Gordon Lansford's position as Director is "in" the Department of Administration budget. Due to some changes OITS now reports to the Governor but for budgeting purposes it is still part of his budget, as a separate unit. He noted he has numerous other functions such as Ombudsman for Long Term Care, Budget Division, and Public Broadcasting Commission in his budget that are separate functions and are "off budget". The Secretary stated that Gordon is an FTE in his budget and is "off budget" and therefore not funded by SFG. He thought he had an agreement with Adrienne that the position would be funded by JAG grant through the end of grant year 2015 but that was not approved as had been expected. Because OITS lies within his budget he will be able to fund the KCJIS function going forward until we find the "right" solution on a long term basis. Secretary Clark noted that KCJIS has been funded for too many years under the JAG grants. The Secretary indicated that funds can be provided. The funds that are provided for KCJIS can be used for anything that is part of KCJIS. Funding would then be requested in the FY2016 budget cycle. The Secretary feels strongly that we need to go to the legislature for numerous items, and that we also need to be on the same fiscal year, and recommends that we adopt the state fiscal year as the fiscal year for KCJIS.

Kirk Thompson, KBI Director, indicated that he is submitting a request to the Governor to cover the additional line costs due to the funding shortfall and that he is also requesting the KBI be allowed to go into a negative balance. However at some point the bill needs to be paid and the problem needs to be resolved. He believes we need to work as a group to determine a comprehensive budget for KCJIS.

Capt. Moon indicated he was present at the KCJCC meeting and that he believes it was a very difficult year with very little in funding, with 60% going to locals, and there was very little funding available for project funding. He also stated that the GGO does not have the ability to put any grant ahead of any other and that in the end the KCJCC decided not to fund any KCJIS related items.

eDispositions for Prosecutors:

Gordon Lansford noted that electronic dispositions from prosecutors using FullCase was one of the items not included in the RAPID project. He noted there was funding remaining in the NGA grant and a request has been sent to the NGA to allow us to use those funds to implement an electronic interface between FullCase and the KBI. The quote for the enhancement is \$29,700 with potentially \$26,000 available from the NGA. The remaining cost could either be divided among the counties who use the system (41 counties) or perhaps from other unused funds.

Ed noted that he recalled the KCJIS Committee discussing this subject in the July meeting and that Gordon handed out a document but that there is no mention of the action in the July minutes. He asked if others remembered it the way he did and there were others who did. Ed suggested that because of the missing documentation in the July minutes (due to a lack of a recording) we either need to approve it again or have a motion to correct the July minutes to resolve the issue. He opened the floor for a motion at the pleasure of the committee. After some discussion on the pros and cons of the two methods of resolution Randy moved the committee authorize submitting the eDispositions for Prosecutors' request to the NGA via the Governors Grants Office. The motion was seconded by Leslie and carried.

Update on State email RFP:

Gordon reported that he met with Anthony Schlinsog to ask if the RFP had been approved. His answer was that there is no formal approval. Anthony noted that nothing has changed that would alter our understanding of the possible outcomes. It was noted that what the state does can affect what local agencies do in that regard. Capt. Moon reported that he is currently working with Microsoft on the CJIS security amendment and believes that he needs to make some modifications to the benefit of the State of Kansas. He will revise the document and forward it to Microsoft. We are close to the agreement but months away from having the funding and personnel to actually be able to implement the new system. Don Langford asked if WPD would have to do background checks and Capt. Moon indicated that local agencies would not be permitted by Microsoft to do the background checks. Microsoft wants to do that at the state level.

Secretary Clark noted that the committee had been authorized to execute the contract with Microsoft but that there were funding issues involving which agencies have to pay more and who pays less. Mark Thurman noted that the role out would normally put law enforcement at the end of the process allowing for the execution of all agreements, some of which are particular to local law enforcement.

Discussion of Statutory Duties of KSA 74-5702(c):

Postponed to October meeting due to lack of time today

Discussion of By-Laws:

Article I: Name and Authorization

No changes required.

Article II: Mission

Secretary Clark believes we should take it right out of the statute. After substantial discussion it was decided that it should be KSA 74-5702, sub-section (a), “shall establish, maintain, upgrade, and upgrade the criminal justice information system.....of computerized information.”

Article III: Committee Membership

Section (a): After substantial discussion it will be left to the Chair, Vice Chair, and Counsel to discuss and report back.

Section (b): is a designee for a “meeting”.....should be ok the way it is.

Section (c): Subsection (1) it should be for a year “beginning July 1st”. Subsection (3) are the “duties”.

Section (d): didn’t really discuss.....

Add Section (e): All effective for fiscal year beginning July 1st; wording as needed.

Article III: Subcommittees

Section (a): is ok

Section (b) is ok

Section (c): is ok

Section (d): The Executive Committee:

- In subsection (1): add “KHP and KBI” as administrative agencies.
- In subsection (5): Drop second sentence that begins “during even years.....”
- In subsection (7): actions “shall be reported”

Section (e): Rules and Regulations Committee (or is it subcommittee?)

- In subsection (1): change “the full committee” to “the subcommittee chair”

Section (f): Policies and Procedures Committee (or is it subcommittee?)

- In subsection (1): change “the full committee” to “the subcommittee chair”

Section (g): Project Planning and Coordinating Committee (or is it subcommittee?)

- In subsection (1): change “the full committee” to “the subcommittee chair”

Ed Klumpp stated that given the time is 3:40pm we will leave the remainder of the by-laws to the next meeting. He plans to start where we left off and go through what we’ve done today and finalize those, then take up the remaining sections.

Brad Burke reported that in order to move forward quickly KDOL is going to begin the statewide jail database working with INK and probably a subsequent RFP. This includes victim’s notification also.

Chairman’s Comments:

- 1) We will post, and email all 2014 KCJIS Minutes to the committee.
- 2) Still needing some information from GGO on November 2013 planning meeting.
- 3) Will keep working on funding issues and advise the committee members
- 4) Will post minutes on KCJIS portal also per Leslie Moore’s suggestion.

Adjournment:

Motion to adjourn was made by Leslie Moore and second by Brad Gilges.

Motion carried.

Next KCJIS Committee Meeting: Monday, October 13, 2014, location TBD