

MEETING NOTICE AND AGENDA

Name of Organization: Advisory Commission on the Administration of Justice's
Subcommittee on Criminal Justice Information Sharing
(Section 2 of Senate Bill No. 35, Chapter 99, Statutes of Nevada 2017;
Section 1.3 of Senate Bill No. 277, Chapter 114, Statutes of Nevada
2017)

Date and Time of Meeting: Thursday, October 11, 2018
9:00 a.m.

Place of Meeting: Legislative Building
Room 3137
401 South Carson Street
Carson City, NV

Note: Some members of the Subcommittee may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following location:

Grant Sawyer Office Building
Room 4412
555 East Washington Avenue
Las Vegas, NV

If you cannot attend the meeting, you can listen or view it live over the Internet. The address for the Nevada Legislature website is <http://www.leg.state.nv.us>. Click on the link "[Calendar of Meetings-View.](#)"

Note: Please provide the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.

AGENDA

Note: **Items on this agenda may be taken in a different order than listed. Two or more agenda items may be combined for consideration. An item may be removed from this agenda or discussion relating to an item on this agenda may be delayed at any time.**

I. Call to Order

II. Roll Call

III. Public Comment

(Because of time considerations, speakers are urged to avoid repetition of comments made by previous speakers. A person may also have comments added to the minutes of the meeting by submitting them in writing either in addition to testifying or in lieu of testifying. Written comments may be submitted in person or by e-mail, facsimile, or mail before, during, or after the meeting.)

*For
Possible
Action*

IV. Approval of the Minutes of the Meeting of the Advisory Commission on the Administration of Justice's Subcommittee on Criminal Justice Information Sharing Held on June 29, 2018

*For
Possible
Action*

V. Update of the Nevada Criminal Justice Information System (NCJIS) Modernization Program

*For
Possible
Action*

VI. Update on the National Incident-Based Reporting System (NIBRS)

*For
Possible
Action*

VII. Presentation on the Federal Fix National Instant Criminal Background Check System (NICS) Act of 2017 and Possible Implementation of the Act by the Central Repository for Nevada Records of Criminal History

*For
Possible
Action*

VIII. Presentation on the Federal Bureau of Investigation's National Use of Force Data Collection Program to Provide Information Concerning Use of Force by Law Enforcement Officers

*For
Possible
Action*

IX. Presentation Concerning Proposed Legislation Including Revisions to NRS 179A Relating to Records of Criminal History

*For
Possible
Action*

X. Presentation Concerning the Reporting of Criminal Justice Information by Prosecutors in Nevada

*For
Possible
Action*

XI. Report on the Activities of the Northern Nevada Working Group, the Southern Nevada Working Group and the Nevada Offense Code Working Group Including a Presentation of Certain Topic Papers Prepared by the Working Groups

Alan Peto, Chair, Southern Nevada Working Group

Robin Miller, Vice Chair, Northern Nevada Working Group

Erica Souza-Llamas, Central Repository for Nevada Records of Criminal History

XII. Work Session - Discussion and Possible Action on Recommendations Relating to:

A. Technology of Criminal Justice Information Systems

B. The Collection, Storage and Sharing of Criminal History Among Criminal Justice Agencies

The Work Session Document contains proposed recommendations and is available on the Advisory Commission on the Administration of Justice's Subcommittee on Criminal Justice Information Sharing meeting page or a written copy may be obtained by contacting Bryan Fernley, Senior Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau at (775) 684-6830.

XIII. Public Comment

(Because of time considerations, speakers are urged to avoid repetition of comments made by previous speakers. A person may also have comments added to the minutes of the meeting by submitting them in writing either in addition to testifying or in lieu of testifying. Written comments may be submitted in person or by e-mail, facsimile, or mail before, during, or after the meeting.)

XIV. Adjournment

Note: We are pleased to make reasonable accommodations for persons with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Jordan Haas of the Legal Division of the Legislative Counsel Bureau, by email to jordan.haas@lcb.state.nv.us, in writing, addressed to Jordan Haas, Legal Division, Legislative Counsel Bureau, 401 South Carson Street, Carson City, Nevada 89701-4747, or by phone at (702) 486-3944 as soon as possible.

Notice of this meeting was posted in the following Carson City and Las Vegas, Nevada, locations: Blasdel Building, 209 East Musser Street; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; Legislative Counsel Bureau, Las Vegas Office, Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was e-mailed, faxed or hand delivered for posting to the following Carson City and Las Vegas, Nevada, locations: Capitol Press Corps, Basement, Capitol Building, 101 North Carson Street; Clark County Government Center, Administrative Services, 500 South Grand Central Parkway; and Capitol Police, Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was posted on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.

Supporting public material provided to members of the Subcommittee for this meeting may be requested from Jordan Haas of the Legal Division of the Legislative Counsel Bureau at (702) 486-3944. Any such material will be made available at the following locations: Meeting locations and the Nevada Legislature's website at www.leg.state.nv.us.



WORK SESSION DOCUMENT

**ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE'S SUBCOMMITTEE ON
CRIMINAL JUSTICE INFORMATION SHARING**
*(Section 1 of Senate Bill No. 35, Chapter 99, Statutes of Nevada 2017; Section 1.3 of Senate
Bill No. 277, Chapter 114, Statutes of Nevada 2017)*

October 11, 2018

The following "Work Session Document" was prepared by the staff of the Advisory Commission on the Administration of Justice's Subcommittee on Criminal Justice Information Sharing ("Subcommittee"). (Section 1 of Senate Bill No. 35, Chapter 99, Statutes of Nevada 2017; Section 1.3 of Senate Bill No. 277, Chapter 114, Statutes of Nevada 2017) The document contains recommendations that were presented during hearings or submitted in writing during the course of the 2017-2018 interim.

The possible recommendations listed in the document do not necessarily have the support or opposition of the Subcommittee. Rather, the recommendations are compiled and organized to assist the members for voting purposes during the work session. The Subcommittee may adopt, change, reject or further consider any recommendation. The recommendations contained in this document are arranged by topic under broad categories to allow members to review related issues and are not listed in preferential order. It should also be noted that any of the possible recommendations listed may or may not have fiscal impact. Potential fiscal impacts have not been determined by staff at this time, and may result in any recommendations for legislation resulting in a fiscal note. The Subcommittee may choose any of the following actions for each recommendation: (1) recommend legislation to amend the Nevada Revised Statutes; (2) draft a letter encouraging or supporting a particular recommendation; or (3) include a policy statement of support in the final report.

The Subcommittee is charged with examining various aspects of the Nevada Criminal Justice Information System and, prior to the next regular session of the Legislature, must prepare and submit to the Advisory Commission on the Administration of Justice a report including the findings of the Subcommittee and any recommendations for proposed legislation.

Additional recommendations may be considered based on discussions held and presentations made at the October 11, 2018, hearing. Please see the agenda for details concerning scheduled presentations on topics to be considered at that hearing.

RECOMMENDATIONS

PROPOSALS RELATING TO TECHNOLOGY OF CRIMINAL JUSTICE INFORMATION SYSTEMS

1. Add the ability to enter into Justice Link (JLink) site security as a reason for certain transactions within Justice Link (JLink). (*Topic Paper #4 from Working Group*)
2. Draft a letter to the Governor and Legislature to express support for increased funding for the Division of Records, Communications and Compliance of the Nevada Department of Public Safety to fully fund the Nevada Criminal Justice Information System (NCJIS) Modernization Program.

PROPOSALS RELATED THE COLLECTION, STORAGE AND SHARING OF CRIMINAL HISTORY AMONG CRIMINAL JUSTICE AGENCIES

3. Propose a statewide process to vet the policies regulating access, use, security and compliance related to Criminal Justice Informational (CJI) systems. (*See Topic Paper #1 from Working Group*)
4. Draft a letter to the Director of the Nevada Department of Public Safety to express support for the plan of implementation under the Federal Fix National Instant Criminal Background Check System (NICS) Act of 2017 by the Records, Communications and Compliance Division of the Nevada Department of Safety. Key components of the plan include:
 - a) Establish policies and procedures related to the collection of fingerprints at arrest and reporting the disposition of the case to the Central Repository Nevada Records of Criminal History.
 - b) Expand auditing program of criminal records to include submission of fingerprints and requirements for reporting the disposition to ensure compliance with adopted policies and procedures.
 - c) Conduct research to determine whether a record of an extended order for protection against domestic violence can be entered into the indices of the National Instance Criminal Background Check System (NICS) of the FBI. Such research will be conducted by the Point of Contact Program with the Records, Communications and Compliance Division of the Department of Public Safety.
5. Support legislation to revise certain provisions related to records of criminal history including:
 - a) Expand the definition of “record of criminal history” to include misdemeanor citations for vehicular manslaughter.
 - b) Require fingerprints collected at the time of arrest to be submitted within certain timeframes.
 - c) Require fingerprints, if fingerprints have not already been captured for a particular offense, when a person is re-booked, remanded or new information is filed.