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Meeting Called by: Commissioner of Public Safety  
Date: September 19, 2017  
Time: 10:00 am  
Location: Scientific Crime Detection Laboratory Classroom

Board Attendees:

DPS: Kathryn Monfreda for the Commissioner  
DOC: Deputy Commissioner Claire Sullivan  
Alaska Judicial Council: Executive Director Susanne Dipietro  
DOA: Special Assistant Minta Montalbo (by phone)  
Police Chief: Chief Travis Welch, North Slope Borough Police Department  
Public Member: Del Smith  
DOL: Division Director John Skidmore  
DHSS: Chief Juvenile Probation Manager Heidi Redick

Absent:

Alaska Court System

Other Attendees:

John Roberts (DPS)  
Lisa Purinton (DPS)  
Lorena Bukovich-Notti (DPS)  
Gary Lee (DPS)  
Eric Gaffney (DPS)

Kathryn Monfreda began the meeting at 10:14 AM (audio problems delayed 10:00 start)

Topic 1: Review of last meeting minutes.

Membership reviewed the minutes. Most of the membership is new since last meeting and wanted a background and foundation for the work of the board. From the minutes of the previous meeting, the current membership discussed the GRA demonstration project, fingerprinting of arrestees, and governance. The discussion was carried over into the same topics of the current meeting.

Reactivation of CJIAB webpage on the DPS website is complete.

Reactivation of the Fingerprint Working Group did not materialize.

Governance and documentation of the CJIAB has not been undertaken. John Skidmore was not at the last meeting and did not recall making any commitment to draft a document

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The Department of Law successfully deployed its new case management system.

APSIN ID look up function is complete and in use by DJJ, ACS, DOC.

Topic 2: Status report: Demonstration project, ACS—MOA e-file complaints

Discussion:

Alaska Court System sponsored and is lead on the project, but is not represented at the meeting and did not provide a written report for the board. John Skidmore is not speaking for ACS, but is carefully monitoring the project for its usefulness as an interaction between the courts and the DAO and can outline the progress. The CJIAB endorsed the project to develop and demonstrate “Global Reference Architecture” (GRA), in which data from multiple agencies would be adapted to a common computer language and placed into a common data bus for access. The project has had steady progress and many successes as it continues to work toward full e-filing but has not been able to develop the GRA. It is no longer trying to achieve the GRA. DOL is working on data sharing initiatives with individual police agencies to develop ability to directly populate records systems with demographic data as well as transfer document. DOL is very interested in the development of the e-file project to develop data sharing with ACS.

Action:

Board will monitor continuation of the project but the GRA demonstration portion of the project is ended.

Topic 3: Fingerprinting of Arrestees

Exhibits:

Chart of the fingerprint schema for Alaska

Chart and graph of fingerprint based positive identification rate

Discussion:

Carry-over from review of last meeting: The previously identified issue is the number of people who have been arrested that are not fingerprinted. Fingerprints are essential to positive identification in each arrest. Current chart and graph of positive identification data reveal that the percentage of positive identification is 62% and declining.

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Antiquated assumption was that all persons arrested go to jail, get printed, and either bail out or stay until arraignment. Efforts to reduce the number of persons who go to a jail facility have been very successful. Preliminary bail hearings (telephonic, in person, curbside) allow own recognizance or bail without jail custody. A huge portion of criminal charges are a summons, i.e., cite and release. SB 91 extends cite and release to felonies.

Alaska statutes require the court to determine at the initial court appearance and again at sentencing if prints have been taken and send the defendant to DOC for prints. However, 1) many cases are resolved before arraignment and defendant doesn't have a first appearance in court, 2) there is no guidance or process of how the judge is supposed to know if fingerprints have been taken, other than "defendant's honor" 3) the statutes don't place any responsibility on the defendant to get printed or 4) there are no penalties for the defendant if they don't get printed. Anecdotal information says that defendants who are ordered to go to a correctional facility find the line too long or the facility not open for printing. Non-compliance to the judge's order is not identified, tracked, documented, or penalized.

Action:

See next topic.

Topic 4: Fingerprinting of arrestees: Live Scan terminals in court facilities?

Discussion:

Kathy Monfreda reports that DPS received grant funding (FFY 2015 NCHIP) to purchase LiveScan systems. In the interim, several agencies have replaced their own equipment, meaning 5 systems are not allocated. Suggest placing the unallocated systems in the courts with the highest ratio of arraignments and no positive ID.

Proposal would require identifying locations; ACS would have to make space for the systems; and DOC would have to staff for the hour(s) in which arraignments occur.

Action:

Susanne Dipietro suggested metrics tools to determine locations and to review the proposal with ACS Christine Johnson. Claire Sullivan, DOC Deputy Commissioner, will explore DOC ability to support.

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John Skidmore suggests the importance of the issue merits a working group from the board or a board meeting (sooner than the previous interval) to develop.

Topic 5: Suspended Entry of Judgment effect on civil rights and firearms.

Discussion:

Kathy Monfreda notes that ACS does not reliably report SEJ's to DPS so the period of time between when a defendant is entered into an SEJ and the end date of the probation period is not captured in the criminal justice repository (APSIN). She presents that the probation period should be tracked and should restrict the defendant's ownership of firearms.

John Skidmore advises that SEJ means the defendant pleads or is found guilty of a crime, but the judge does not accept the guilty finding at that time. Accepting the finding is delayed until a date in the future. There is no conviction until the verdict is accepted, so PFD, civil rights are not affected.

Under federal Gun Control Act, a person under indictment for a felony is disqualified from firearms.

Action:

John Skidmore will research if the SEJ is an indictment.

Topic 6: Correctional status information

Discussion:

13 AAC 68.155 requires DOC to report information to the criminal history repository for every person who has been placed into the custody or supervision of DOC. The new court ordered probation for SEJ's need to be reported to assist in successful monitoring of the probation.

Action:

Tabled for future discussion

Topic 7: Felony Sex Offender reports

Presenter: Lisa Purinton, DPS

Sex Offender reports are a subset of the Uniform Crime Report (UCR), a national crime statistics tool. The UCR updated the definition of rape. Police agencies were reporting old definition (forcible penetration by a male of a

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female) and couldn't adapt to the expanded definition in time for last year's report. Anchorage Police will report this year under the current definitions which will affect the year to year trends in the statistics.

Topic 8: National Incident Based Reporting System (NIBRS) requirements

Presenter: Lisa Purinton, DPS

The FBI is updating the UCR to include modern demographics and statistical modelling data. It is a complete revamp of the report and the UCR system is not adequate. A new system, NIBRS, is being phased in. NIBRS will be mandatory in 2021. Alaska will have to build a new NOBRS compliant reporting system.

Additional Items:

None presented

Next Meeting:

1. John Skidmore suggests next meeting date should be in about three months to monitor/advise progress to develop fingerprinting strategy. Board agrees.

Next meeting agenda:

1. Update on compliance with AS 12.80.060 (Fingerprinting)
2. To be announced

Meeting Adjourned at 11:55 am