

MICHIGAN STATE POLICE
Criminal Justice Information Systems (CJIS)
Board Meeting Minutes
January 19, 2024
Michigan State Police Headquarters

Members Present

Name	Agency
Lt. Col. Chris A. Kelenske	Michigan State Police (MSP)
Ms. Michelle Kleckler	MSP, Criminal Justice Information Center (CJIC)
Ms. Angie Yankowski	MSP, Biometrics and Identification Division (BID)
Sheriff Troy Bevier	Lenawee County Sheriff's Office, Michigan Sheriffs' Association (MSA)
Undersheriff Ryan Schiller	Oceana County Sheriff's Office, MSA
Sheriff Mike Williams	Montcalm County Sheriff's Office, MSA
Ms. Julie Nakfoor Pratt	Barry County Prosecutor's Office, Prosecuting Attorneys Association of Michigan (PAAM)
Mr. David Gilbert	Calhoun County Prosecutor's Office, PAAM
Chief Darin Dood	Lakeview Police Department, Michigan Association of Chiefs of Police (MACP)
Chief Timothy Kozal	Muskegon Public Safety, MACP
Mr. Brian Pillar	Michigan Department of Technology, Management and Budget (DTMB)
Honorable Jason Elmore	28 th Circuit Court, Michigan Judges Association
Ms. Bobbi Morrow	State Court Administrative Office (SCAO)
Ms. Lisa Hall	Midland County 911, Michigan Communications Directors Association
Ms. Julie Kluytman (Proxy for Mr. Darryl Hill)	Michigan Secretary of State (SOS)
Mr. Warren Wilson	Michigan Department of Corrections (MDOC)
Mr. David Russell	Michigan Department of Health and Human Services (MDHHS)
Captain Jamar Rickett	Detroit Police Department
Mr. Robert Medacco	Little River Band of Ottawa Indians, Inter-Tribal Council of Michigan

Guests

Ms. Kristin Forester, MSP	Ms. Sherry Rosin, MSP	Mr. Kevin Collins, MSP
Ms. Cari Sutton, MSP	Sgt. Kristina Droste, MSP	Ms. Jaala McClain, MSP
Ms. Krystal Howard, MSP	Sgt. Matthew Neihengen, DPD	

Roll Call

Completion of roll call.

Welcome

Lt. Col. Chris Kelenske called the meeting to order.

Approval of Agenda

Motion: To approve current agenda. (Ms. Lisa Hall)

Support: (Mr. Robert Medacco)
Motion passed unanimously. Agenda approved.

Approval of Previous Meeting Minutes

Motion: To approve previous meeting minutes. (Ms. Lisa Hall)
Support: (Mr. David Gilbert)
Motion passed unanimously. Last meeting minutes approved.

Approval of 2024 Dates

Motion: To approve 2024 CJIS Board Meeting Dates. (Sheriff Troy Bevier)
Support: (Mr. David Russell)
Motion passed unanimously. 2024 schedule approved.

Vice-Chair Nomination/Approval

Motion: Chief Dood nominates Sheriff Troy Bevier to keep position as vice-chair.
Support: (Ms. Lisa Hall)
Motion passed unanimously. Sheriff Bevier named vice-chair.

Legislative Update: Sgt. Kristina Droste

2023 PUBLIC ACTS

PA 23 (HB 4045)

- “VECHS” (Volunteer Employee Criminal History System)
- Effective May 1, 2023

PA 14-17 (SB 79-82)

- “Safe Storage” of firearms (truly: Child Access Prevention)
- Creates a new crime for improperly storing or leaving unattended a firearm where a minor is present or likely to be present.
 - An individual who stores or leaves a firearm unattended on premises under the individual’s control, and who knows or reasonably should know that a minor is, or is likely to be, present on the premises shall do 1 or more of the following: [lock box/container] or [unloaded + locking device]
 - Violation only if a minor actually obtains
 - If minor exhibits: 93d
 - Minor discharges + injury: 5y
 - Minor discharges + serious impairment: 10y
 - Minor discharges + death: 15y
- Exceptions related to supervised used by minor; hunting; minor obtains criminally; minor obtains while acting in self-defense.
- Effective Feb. 13, 2024

PA 18-22 (HB 4039, 4138, 4142, 4143, 4253)

- “Universal Background Checks”
- Requires license to purchase for all firearms, not just pistols.
- Shifts burden to return LTP (sales record) on pistols from purchaser to seller.
- Effective Feb. 13, 2024

PA 35-38 (HB 4147, 4148, 4146, SB 83)

- ERPO (Extreme Risk Protection Order) Act
 - ERPO will prohibit a person from purchasing or possessing a firearm and require the person’s relinquishment/surrender/dispossession of firearms.
- Effective Feb. 13, 2024
- Lt. Colonel Kelenske: Some organizations are represented on the Byrne State Crisis Intervention Program (SCIP) Advisory Board.

- The Bipartisan Safer Communities Act of 2022 includes the Byrne SCIP which gives funds to put programs and initiatives in place including the Extreme Risk Protection Order (ERPO).
- Sharing this information so board members can take the information back to their organizations.
- More information can be found [here](#).

PA 177 (HB 4422)

- Amends the list of “serious misdemeanors” in MCL 780.811 to add the following offenses:
 - MCL 750.81c(1), threatening a DHHS employee with physical harm;
 - MCL 750.174a(2) or (3)(b), embezzlement from a vulnerable adult (less than \$200);
 - MCL 750.174a(3)(a), embezzlement from a vulnerable adult (\$200 - \$1,000);
 - MCL 257.601d(1), moving violation causing death; and
 - MCL 257.601d(2), moving violation causing serious impairment of a body function.
- Largest impact is the effect on automatic set aside (serious misd. being ineligible)
 - Only the above embezzlement offenses are newly ineligible, as the other offenses are already otherwise excluded from automatic set aside.
- Effective Feb. 13, 2024

PA 199—201 (SB 528, HB 4945, SB 471)

- Adds “MCDV” to ‘felon in possession’ (prohibited person) statute with 8yr prohibition, MCL 750.224f
 - Domestic assault, 81(2)
 - Domestic assault second offense, 81(4)
 - Aggravated domestic assault, 81a(2)
 - B&E Illegal Entry—Domestic, 115(2)*
 - Vulnerable Adult Abuse (4th Deg.)—Domestic, 145n(5)*
 - MDOPP—Domestic, 377a(1)(d) or (f)*
 - MDOP Building—Domestic, 380(5) or (7)*
 - Stalking—Domestic, 411h(2)(c)*
 - Malicious Use of Telecommunication Service—Domestic, 540e(1)(h)*

*New subsections / no retroactivity issue

- Revises “felony” to punishable more than 1 year.
- SB 528 adds the above domestic relationship subsections to the included MCDVs.
- Effective Feb. 13, 2024

PREVIOUSLY MENTIONED / WATCHING:

SB 459-461 – Mobile Driver’s License / ID

- Directs MDOS to issue a mobile operator’s or chauffeur’s license to an individual.

7/20/2023 – Introduced by Sen. Anthony

RECENTLY INTRODUCED

HB 5301-02 Driver’s License Application

Modifies application requirements for an operator’s or chauffeur’s license (5301) and state IDs (5302) ... allows selection of “M” “F” or “X”

- Both MICR and NIBRS guidance is to use U-unknown whether sex is truly unknown or does not fit in the other categories (i.e., non-binary)

Introduced (11/2/2023; To Judiciary Committee)

SB 469 Child Care Licensees (Hoitenga)

Expands locations to obtain fingerprint requirement for child care licensees.

- New language: To obtain fingerprints for submission to the department of state police required under this subsection, an individual may request a local law enforcement agency or county sheriff’s office to record the individual’s fingerprints on a Michigan applicant fingerprint card and provide a copy to the individual.

- Ms. Sherry Rosin: Regarding the changes for the fingerprinting process for childcare. Per the legislation they can go to any live scan vendor and get printed on a hard card. We are not recommending printing on the hard card because it's in violation of the state contract and it will delay the processing time.

Introduced (9/7/2023; To Regulatory Affairs Committee)

Law Enforcement Information Network Update (LEIN): Mr. Kevin Collins

Mr. Collins presented the following LEIN related topics:

ERPO:

- Working with the LEIN vendor to get a statement of work (SOW) in place. There have been challenges with our vendor.
- CJIC has a contingency plan in place.
- Still working with Core to get forms created. Worked with SCAO to get the information collected for the form.
- Sheriff Bevier: Can judges draft their own court orders?
- Honorable Jason Elmore: Yes, but SCAO is working on the forms.
 - Judges have a training on 2/8/24, the updated court rules and forms should be available.
- Could they share the rules/forms with the board?
- Draft forms have been created; however, we must wait for the Supreme Court's final word on that.

Violent Person File:

- Still gathering information on this and how to implement it.
- Met with the Criminal History Section to get the codes that fit into the criteria for those entries.
- This will come after ERPO and require an SOW from our LEIN vendor.
- This is part of a push from the FBI. One creation from this is the Officer Safety Taskforce.
- The Violent Person File is inherently labor intensive, we are hoping to automate the entries but there will also be validation issues.

Radio Encryption:

- CJI must be encrypted when in transit with the exception of voice over cellular and line of site transmission.
- Encryption applies to police radio transmissions as well.
- During the 2023 FBI ITS audit, the FBI audited to this requirement and found one agency out of compliance.
- It's understood that implementation will take time and money.
- Additional complexity is added as CJI can only be disseminated to authorized personnel. Currently, individuals not authorized access to CJI have access to CJI via unsecured radio traffic.
- ADP is not considered encryption by the FBI (does not meet the FIPS 140-2 standard).
- This issue requires more internal discussions. MSP will not audit this requirement until the proper messaging and training can be delivered to our partners.
- Ms. Lisa Hall: This was a big surprise and was not on anybody's radar. It will be very expensive and time consuming.
 - Encourage this group to look at getting firefighters put through security training and be given authorization.
- MSP will set up a meeting with MPSCS to discuss this issue further and possibly include the interop board. This meeting should include MCDA, MSA, and MACP to ensure all pain points are addressed.

Criminal History Records (CHR) Update: Ms. Sherry Rosin

Ms. Rosin presented the following CHR related topics:

Set Aside:

- Juvenile automatic set aside went into effect in December. The juvenile process is opposite to the adult process. The volume is much lower. We are working with SCAO and non-JIS courts and developing a way for them to submit electronically. The courts have many more juvenile set asides in their system than we have in our system.
- Moving into phase two of adult automatic set aside. As part of phase two we are working on enhancing the web service between MSP and the MDOC. We're also building a web service for the courts to help streamline the process.

Federal Rapback:

- Federal Rapback was approved by the FBI and is in testing.
- Provides notifications of arrests, charges, and convictions for individuals who were fingerprinted for employment purposes.
- On track to go live in February.

Automated Fingerprint Identification System (AFIS) Update: Ms. Jaala McClain

Ms. McClain presented the following AFIS related topics:

AFIS Upgrade:

- Still building AFIS upgrade, the soft go live is the end of March.
- Testing will be done in February and March.
- We will provide training to lab members.

Statewide Network of Agency Photos (SNAP) Update: Ms. Krystal Howard

Ms. Howard reported on the following SNAP related topics:

SNAP Upgrade:

- The SNAP updates will go live February 14.
- The application will look different to users.
- Correspondence will be going out internally and through the MiCJIN homepage. It will include training modules.
- Dates set for Microsoft Teams trainings – contact Ms. Howard if you want to participate.
- There won't be any changes for MDOS and fraud detection partners at this time.

Board Round Table

No comments.

Public Comment

No comments.

Motion: To adjourn (Mr. Brian Pillar)

Support: (Chief Timothy Kozal)

Motion passed unanimously. Meeting Adjourned.

**2024 Upcoming CJIS Board meetings:
Friday, April 19, 2024 – 9:30 a.m. to 12 p.m.
Friday, July 19, 2024 – 9:30 a.m. to 12 p.m.
Friday, October 18, 2024 – 9:30 a.m. to 12 p.m.**