

**MICHIGAN STATE POLICE
Criminal Justice Information Systems (CJIS)
Board Meeting Minutes
October 22, 2021
Michigan State Police Headquarters**

Members Present

<u>Name</u>	<u>Agency</u>
Lt. Col. Chris A. Kelenske	Michigan State Police (MSP)
Judge Kirk Tabbey	14A District Court (Ypsilanti), Michigan District Judges Association
Mr. Kevin Collins	MSP, Criminal Justice Information Center (CJIC)
Judge Pamela Lightvoet	9 th Circuit Court (Kalamazoo), Michigan Judges Association
Ms. Julie Nakfoor Pratt	Barry County Prosecutor's Office, Prosecuting Attorneys Association of Michigan (PAAM)
Ms. Lisa Hall	Michigan Communications Directors Association (MCDA)
Ms. Bobbi Morrow	State Court Administrative Office (SCAO)
Ms. Katie Bower Proxy for Mr. Darryl Hill	Michigan Department of State (MDOS)
Mr. Warren Wilson	Michigan Department of Corrections (MDOC)
Mr. David Russell	Michigan Department of Health and Human Services (MDHHS)
Mr. Brian Pillar	Michigan Department of Technology, Management, and Budget (DTMB)
Mr. Robert Medacco	Little Traverse Bay band of Odawa Indians, Inter-Tribal Council of Michigan
Undersheriff Chuck Dewitt	Kent County Sheriff's Office, Michigan Sheriff's Association
Chief Darin Dood	Lakeview Police Department, Michigan Association of Chiefs of Police
Ms. Alexandria Casperson	Michigan Department of Attorney General
Lt. Shelley Holderbaum Proxy for Mr. Art Thompson	Detroit Police Department

Guests

Sgt. Nicole McGhee, MSP	Mr. Wayne Aldrich, MSP
Tpr. Travis Fletcher, MSP	Capt. Matt Bolger, MSP
Ms. Michelle Kleckler, MSP	
Mr. Jeremy Ludwig, MCDA	

Welcome

Judge Tabbey called the meeting to order. Board members and public attendees introduced themselves.

Last Meeting Minutes Approval

Motion: Mr. Kevin Collins moved to approve the meeting minutes from July 23, 2021.

Support: Ms. Lisa Hall.

Motion passed unanimously.

Approval of Agenda

No motion made; no vote held.

Legislative Update (Sergeant McGhee)

SIGNED INTO LAW:

Public Acts 78, 79 and 82 of 2021- OWI Set Aside

- Provides for the setting aside of a single OWI 1st Conviction.
- Extends application period from three years to five.

MOVING LEGISLATION:

- House Bill 4003 – CPL Expiration Decriminalization
 - Allows for civil infraction in lieu of felony CCW for expired CPL
 - Pending action on the house floor.
- House Bill 5026 – 911 Act
 - Sunset extension.
 - Appropriation to alleviate fee increases.
 - Voted out of Communications and Technology on 10/20/21.
- House Bill 5368 – Court Records
 - Requires that defendants name and date of birth not be redacted from a court record.
 - “record” refers to information of any kind that is recorded in any manner and has been created by the court or filed with the court in accordance with supreme court rules”
- Senate Bill 11 – CPL’s under the EMA
 - Specify that an executive order issued under the Emergency Management Act (EMA) would not affect a county clerk’s duty to issue a concealed pistol license (CPL) or CPL renewal, provide fingerprinting services for the purposes of the law, or provide a personal identification number to an individual so that he or she could submit his or her renewal online.
 - Passed Senate along party lines- reported from House Committee and has been referred to second reading in the House.

LEGISLATION TO WATCH:

- House Bill 4174 – Criminal Justice Data Collection
 - Seeks to establish uniform data collection and reporting system for courts and law enforcement.
 - Tracking and reporting of criminal cases from arrest through final disposition.
- House Bill 4653 – Child Abuse Registry (Wyatt’s Law)
 - Senate Bill 371
 - Seeks to establish a registry for individuals convicted of a “child abuse offense.”
 - Senate Bill 371 sent directly to Senate Floor- referred to House Judiciary.
- House Bill 4701 – Oral Fluid
 - Permits the use of “other bodily fluid” as evidentiary chemical test for operating while intoxicated
 - First hearing in Judiciary Committee – pending vote and recommendation.
- House Bills 4763 and 4764 – CPL data on State ID and Driver’s Licenses.
 - Would provide for special decal designation on State ID or Driver’s licenses for CPL holders.
 - At the CPL holder’s request.
 - Style and format of designation determined by MDOS.
 - MDOS shall require proof of valid CPL.

Animal Control Officer Access to LEIN (Mr. Collins)

Based on the motion from the last meeting, Mr. Collins reported on the updated/clarifying LEIN Operations Manual (LOM) language regarding Animal Control Officers.

New LOM Language:

Animal Control Officers are allowed access to information obtained from LEIN (criminal justice information) under either of the following circumstances:

- The Animal Control Officer is employed with or under the management control of a criminal justice agency (in accordance with section 5.1.1.4 of the FBI CJIS Security Policy and Rule 28.5201(1)(c) of the Michigan CJIS

Administrative Rules) and tasked with enforcing criminal laws of this state and/or criminal ordinances of a local municipality on behalf of the criminal justice agency.

- The Animal Control Officer is employed within or under the management control of a formally established criminal justice subunit of a noncriminal justice governmental agency that allocates a substantial part of its annual budget (more than 50%) for the administration of criminal justice and tasked with enforcing criminal laws of this state or criminal ordinances of a local municipality on behalf of the criminal justice subunit. The criminal justice subunit must be established pursuant to statute, executive order, or official action of the local governing body. Approved and authorized criminal justice subunits will be assigned an ORI ending in Y and will have full access to LEIN and NCIC.

NOTE: Animal Control Officers who are not performing a criminal justice function on behalf of a criminal justice agency or who are designated as a deputy sheriff under MCL 750.55 are not authorized access to information obtained from LEIN (criminal justice information).

Mr. Collins also gave an update that after officially creating a criminal enforcement division, by way of county commission resolution, the Ingham County Animal Control Enforcement Division was approved by the FBI and also by LEIN.

Board Round Table

Ms. Bower announced upcoming changes to the MDOS system. The addition of the X (non-binary) sex indicator will be effective Nov. 10, 2021. A significant amount of discussion took place about the MDOS X (non-binary) designator. Several concerns were expressed from Ms. Lisa Hall about how exactly the new designator would affect other agency systems, how users should use the information to enter records, etc. Ms. Bower stated that the information given today was all she had at the moment and new information would be provided as it is released. Mr. Collins stated his team would provide information as to how LEIN users should proceed as a result of the X (non-binary) indicator once he received the official notification from the MDOS.

Public Comment

No public present.

Meeting Adjournment

No motion made; no vote held.

**2022 CJIS Board meetings:
Friday, January 28, 9:30 a.m. to 12 p.m.
Friday, April 22, 9:30 a.m. to 12 p.m.
Friday, July 22, 9:30 a.m. to 12 p.m.
Friday, October 28, 9:30 a.m. to 12 p.m.**