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Criminal History Repository
Nevada Highway Patrol
Department of Public Safety

February 2003

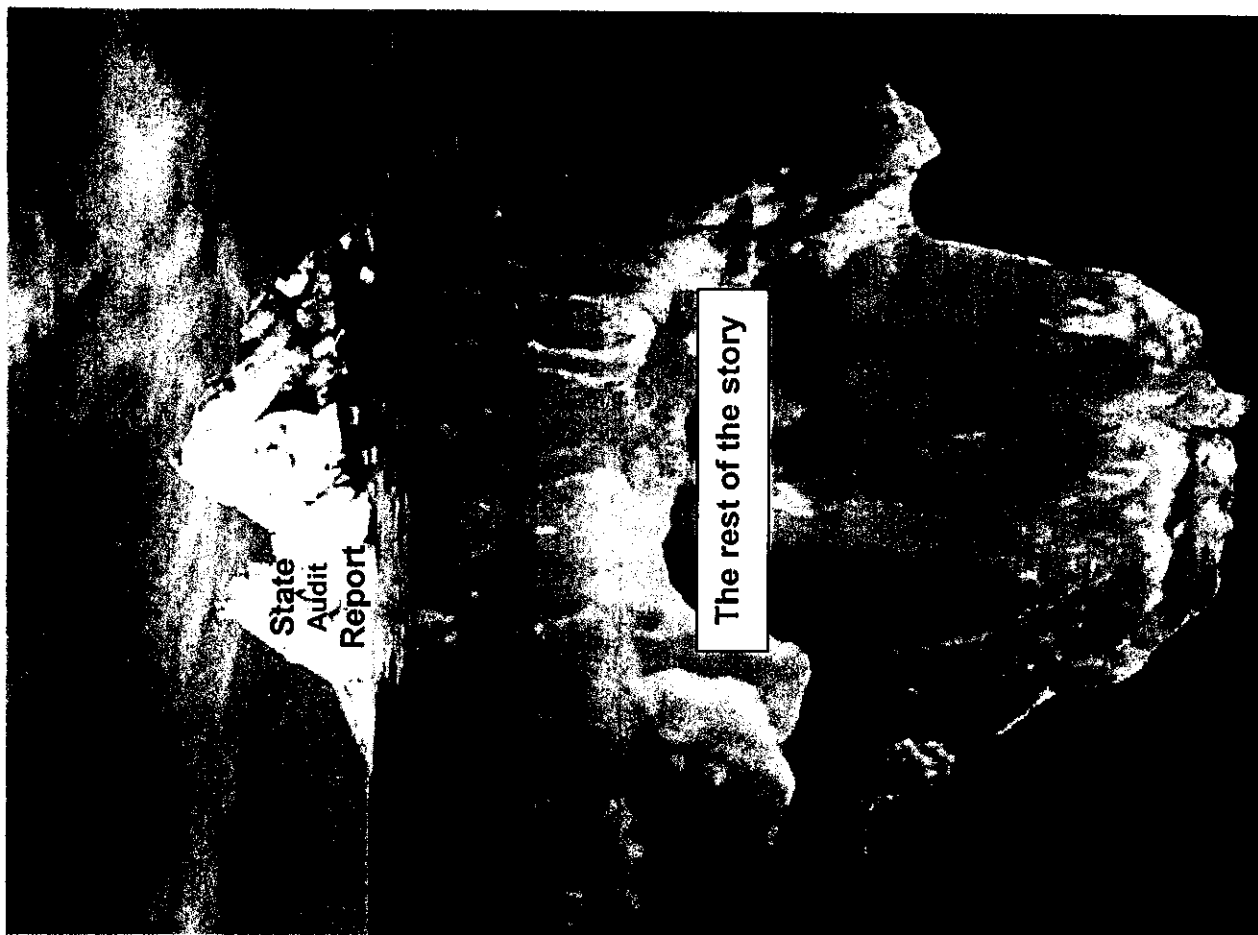
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ASSEMBLY JUDICIARY

DATE: 2/7/03 ROOM 3138 EXHIBIT

SUBMITTED BY: Daryl Riersgaard

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What is the real problem?

The budget architecture is flawed

It is flawed because our criminal history records function relies on court assessment revenue

Court assessments are both unreliable and inadequate; this fact is repeated each year

Court assessments are down by 18%, this means the Repository is currently \$797,000 short

This means that in order to balance my budget, I am forced to leave positions unfilled (now 20%)

This means that approximately 40% of the mandated workload is not getting accomplished

This means that there are large backlogs

All of these negative factors are at play, while the workload continues to grow rapidly (+25%)

As the audit stated, the integrity of this records system is diminished

This matches what Director Kirkland shared with the joint sub-committee hearing on the 29th of January.

He said that there are three key issues with the Repository:

- 1.) Court assessment funding is way down
- 2.) This problem has forced staffing shortages
- 3.) Staff shortages have caused work backlogs

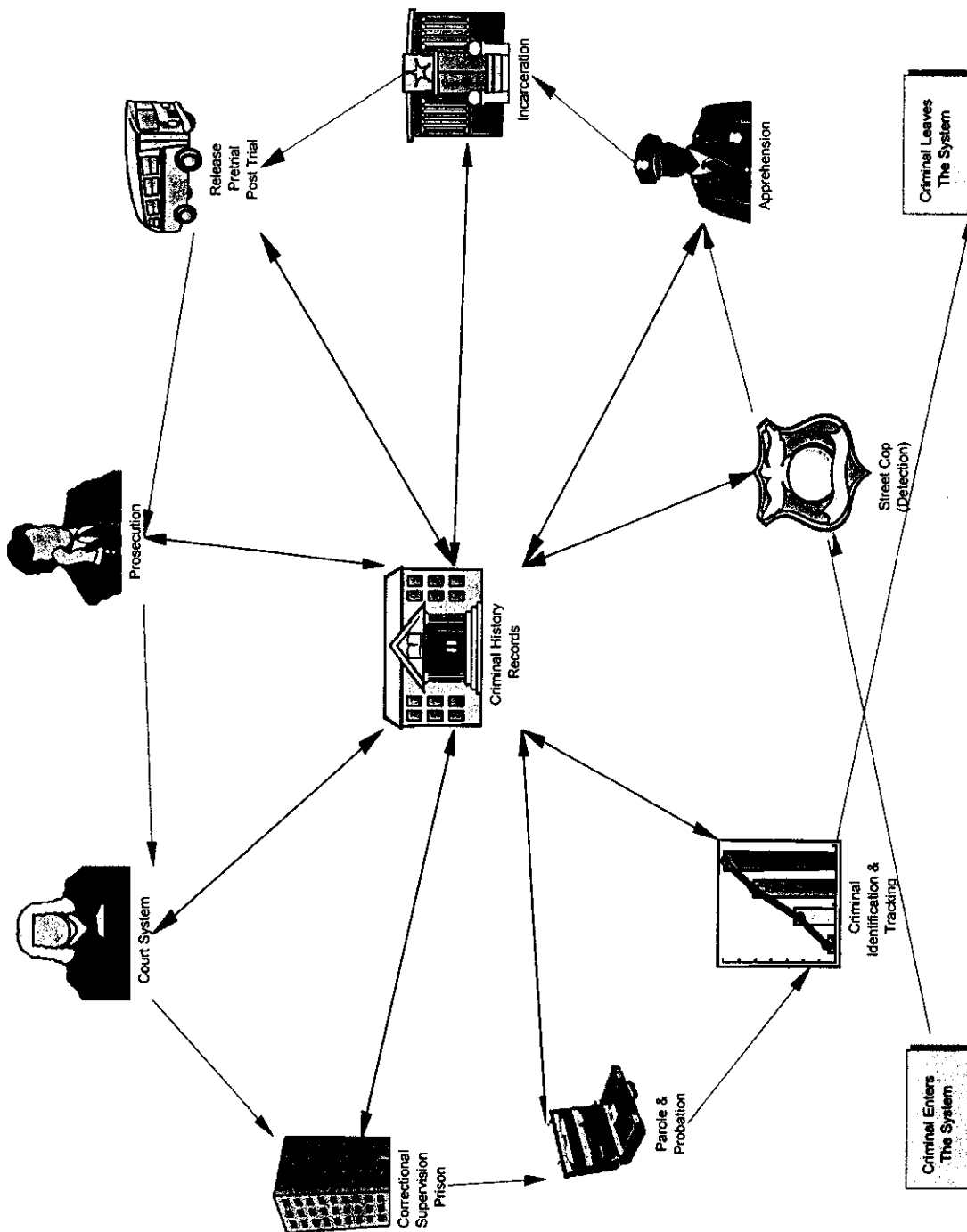
Additional insight:

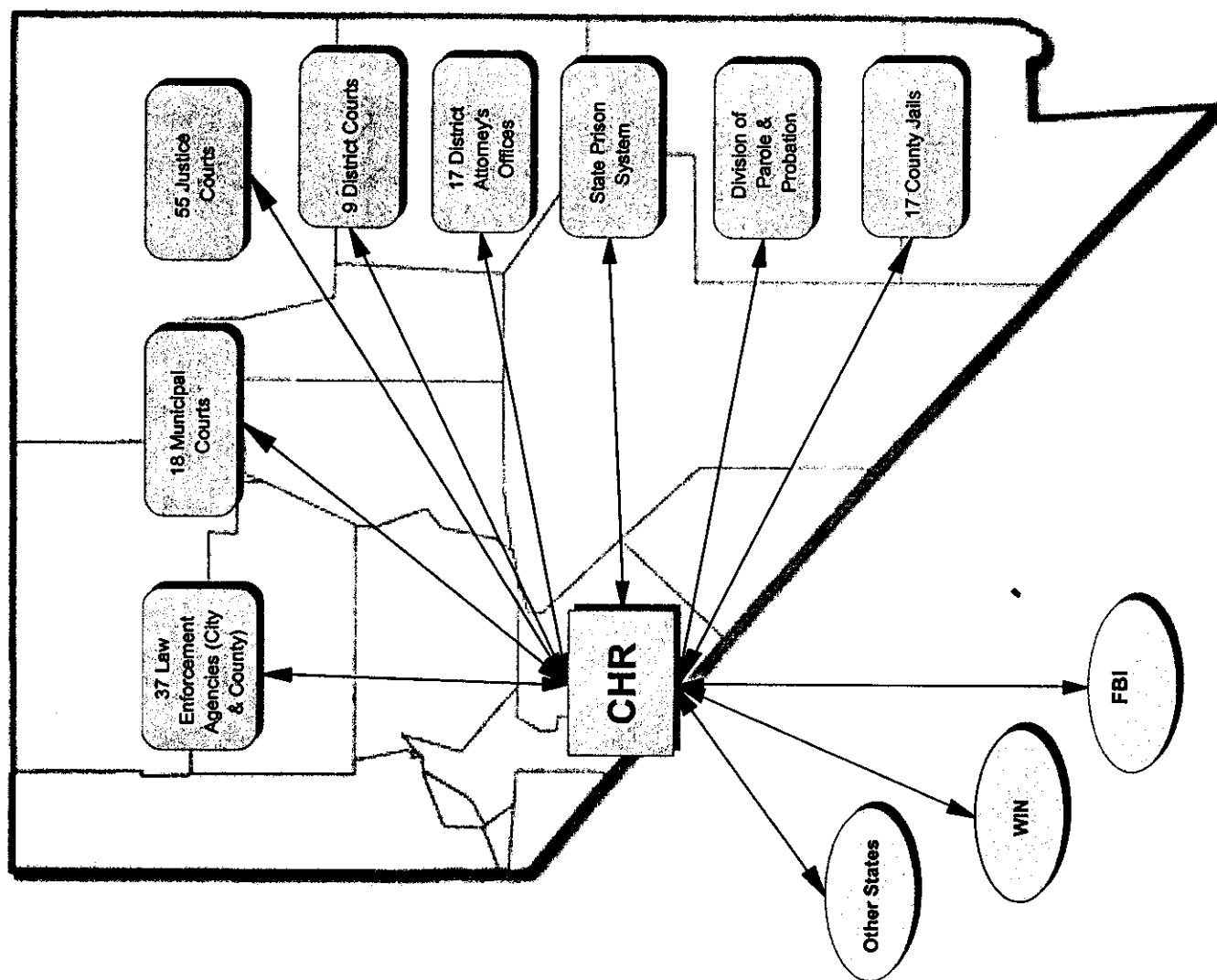
- a.) The Repository has no control over the work load that comes our way
- b.) The Repository has little control over the revenue that comes in to pay the operating expenses

Criminal History Repository

1. Illustration of who uses our criminal record system
2. Illustration of how the Repository connects all nine elements of the Criminal Justice Community

The Criminal Justice Loop





What does the Repository do?

Criminal history records

- the core service that we provide
- over 183,000 fingerprint cards each year
- search 2,940 latent fingerprints (30% hit rate)
- connects local records to the state and state records both regionally as well as to the FBI system
- should be supported by court assessments

Sex offender registry

- these records are included in the records system
- coordinate with local law enforcement
- tracking 3,557 registered sex offenders
- 26% growth last year
- supported by court assessments

Statewide auditing and training

- for 58 level 1 users (i.e. courts, DA's, feds)
- for 62 level 2 users (i.e. law enforcement agencies)
- protects the integrity of the larger system
- supported by court assessments

Civil applicant background checks

- based upon a fingerprint search
- last year processed 91,112 checks
- 1,431 statewide customers
- 375% growth in past 10 years
- the fastest growing part of the system (nation-wide)
- fee based system

Brady gun purchase checks

- 50,068 checks last year
- 2.3% denial rate
- fee based system

Civil Name Checks

- non-fingerprint based criminal name check
- primarily designed for gaming checks
- 47,101 checks conducted last year
- fee based system

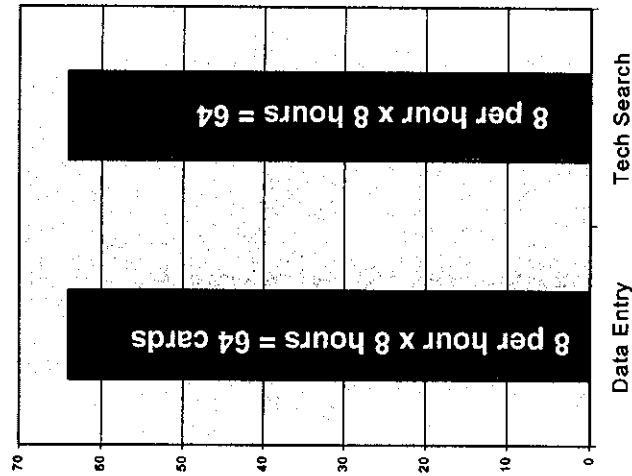
-BACKLOGS-

Fingerprints
anticipate 77,000 per year
based upon current staffing

Court dispositions
110,000 current

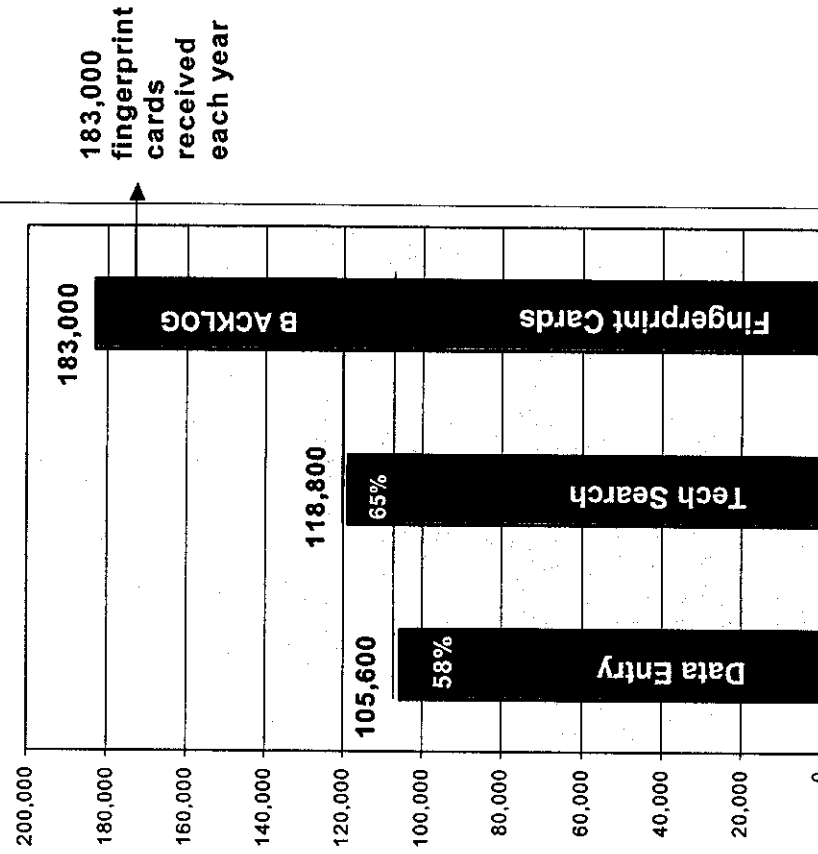
10.1 man-years of data entry

Processing Fingerprint Cards



- 64 per day = 1,100 per month
- 1,100 per month = 13,200 per year
- One employee can process 13,200 fingerprint cards per year

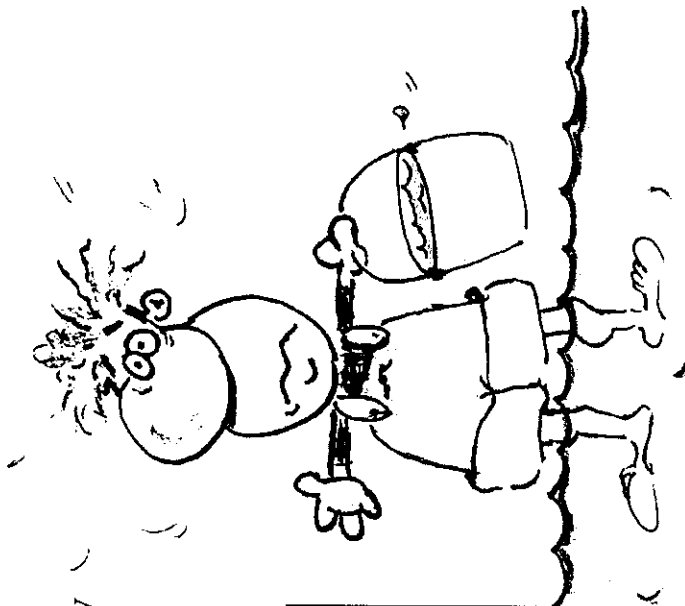
Fingerprint Card Volume



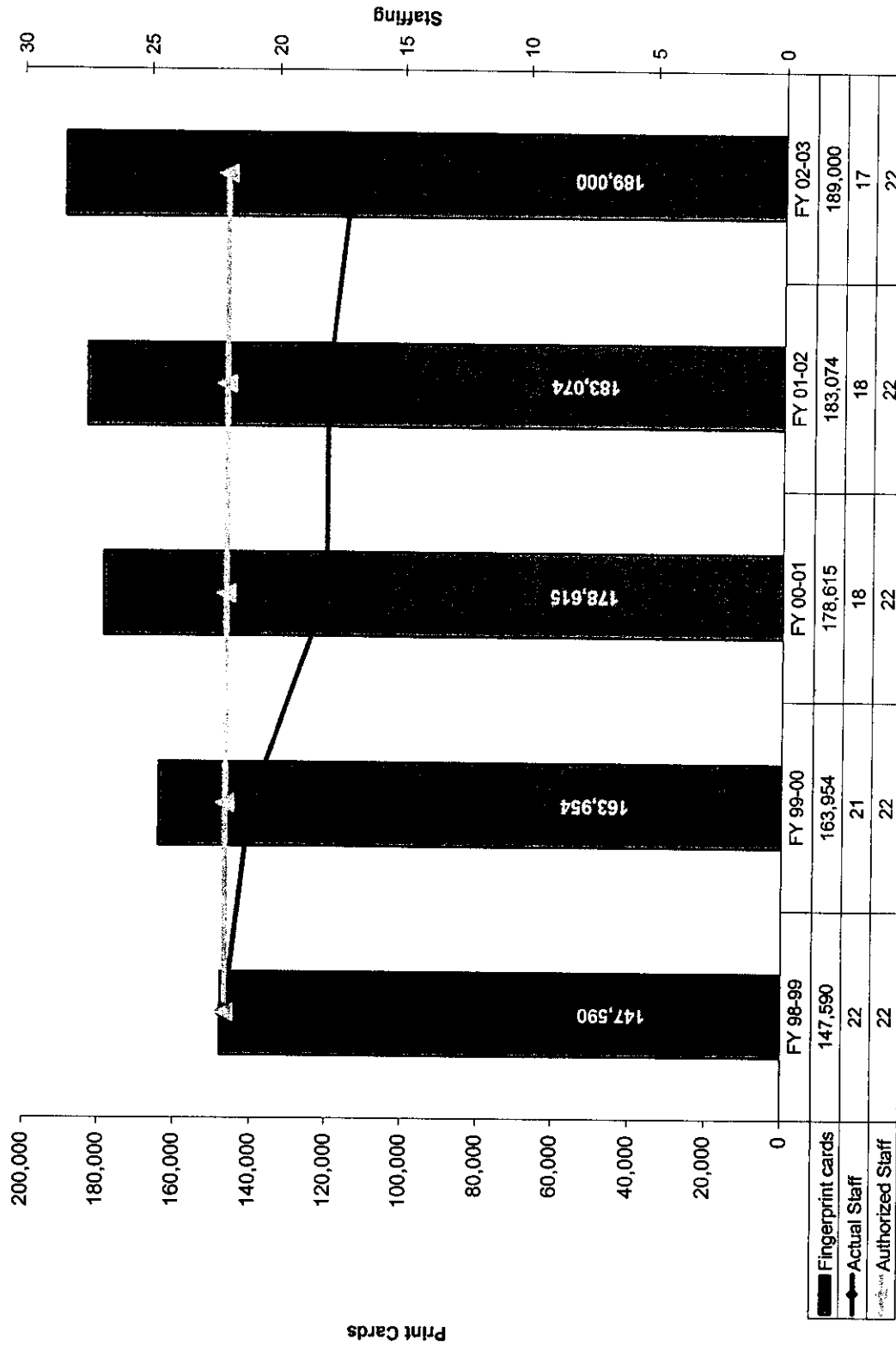
Work load assessment for Finger print work sections (both data entry and technical search)

Data accurate as of 2 January 2003

Strength category	Data Entry	Technical Search
Authorized strength	12 line level workers	11 line level workers
Actual strength (as of late Dec 2002)	8 Staffing level of 67%	9 Staffing level of 82%
Work load limit, based upon 13,200 cards per employee	105,600	118,800
Compared to actual work load for last years	183,074 cards received able to do 58% of total	183,074 cards received able to do 65% of total
Amount of work in excess of what was possible	77,474 cards will be going to backlog status	64,274 cards will be going to backlog status
Employee strength that would have been required	13.86 employees to complete total work load	13.86



Fingerprint Cards & Staffing



Response To Audit

Response to the State Audit Report May 2002

At the time of the audit, March 2001

At the present time, February 2003 (23 months)

A fingerprint backlog of 69,781 cards was identified. At one point, this figure topped out at 90K cards.

All but 7,000 fingerprint cards have been processed since the audit report

90% of the backlog has been processed

Error rates were identified:

New internal audit measures now conduct quality control checks and data entry errors are dealt with immediately.

From 3% on the fingerprint data entry (compare to FBI standard)

Do not have sufficient staff to enter the 110,000 backlog in court dispositions. This backlog equates to 10.1 man years of work.

to 36% on data entry for court dispositions

Seven of the 14 (50%) audit team recommendations were related to technology (PSTD)

Alan Rogers for PSTD has played a key support role for the Repository and can better talk to those technology type recommendations

Unable to afford any additional new technology programming under the present conditions

Recommendation #3

"Work with local (court) jurisdictions to standardize the disposition form"

In order to accomplish this, we have turned to Justice Agosti and Ron Titus at AOC, to coordinate through their channels to work towards a standard form

18 Municipal Courts
55 Justice Courts
9 District Courts

Back Up Slides

CRIMINAL HISTORY REPOSITORY

Purpose:	Set up by law to collect and disseminate criminal history records to law enforcement statewide, to other states and to the FBI
Budget:	\$10,429,799 ('04) and \$11,083,409 ('05) Staffing: authorized = 61 vs. Actual = 50
What we do:	Process 182,000 fingerprint cards to support criminal records for 127 law enforcement agencies and 82 courts. Process 50,000 Brady gun licensing checks. Provide fingerprint based background checks for 1,431 employer accounts
Funding:	Fee based for services and court assessments levied on citations and arrests
Problem:	Court assessment revenue has been consistently short for the past four years. The shortfall this year is approximately \$800,000 (and may get worse). Even if court assessments came in at 100% they will not cover the costs of the criminal history program
Staffing:	Because of the court assessment shortfall, the staffing has been reduced by 11 positions (80% level).
Problem:	With the staffing shortage of 11 positions, the repository cannot meet its legally mandated work load of establishing and maintaining fingerprint based criminal records, entering court dispositions, entering domestic violence, providing crime reports, etc.
	Repository is currently backlogged by 7,000 fingerprints, 110,000 court dispositions and 20,000 behind on domestic violence reports. It is also 7 months behind in processing uniform crime reports
Resolution:	Find more reliable revenue than court assessments so that the 11 positions can be hired and provide the opportunity to fix the respective backlogs

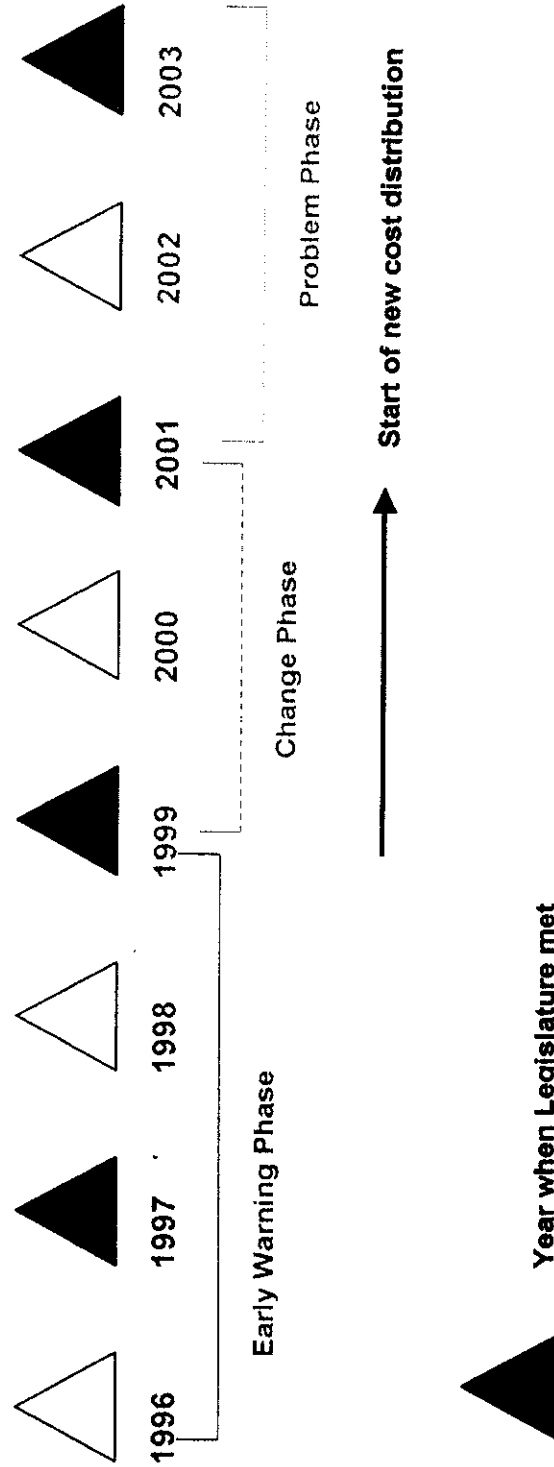
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Alternative:	By not hiring the 11 vacant positions, an estimated 40-45% of the legally mandated workload will go undone yearly, not including the natural yearly growth of over 100,000 new residents each year
Impact:	Forced to prioritize the large workload, which means that the repository will be unable to process, misdemeanor arrest information
Effect:	There will be no means for law enforcement to know of previous criminal arrests and therefore will not be able to use this fingerprint database For resolution of crime, courts will not be able to sentence properly, and second or third time offenders will appear to be a first time offender in the eyes of the judge Local law enforcement will be unable to make positive identification on arrest warrants Law enforcement will not be able to search latent fingerprints for crime solving With less fingerprints in the automated fingerprint system, there will be less crimes solved through automated means Arrests will become harder and the numbers will go down. Thus affecting future court assessments There will be no way to keep track of DUI and domestic battery arrests in different locations. Thus making it difficult to get the statute enhancements (i.e. 3rd arrest = felony) Misdemeanor domestic battery arrests will not be known to those responsible for completing Brady gun checks Many disqualifying misdemeanor convictions will not be known to civil applicant background checks, affecting gaming work cards, employment in convalescent and child care facilities, etc.

TIMELINE

EVOLUTION OF BUDGET ACCOUNT 4709

The last year that we had help
to pay for the cost of the Switch
(68% CHR – 32% NHP)



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Current Assessment of Repository

Backlogs

CATEGORY OF BACKLOG	AMOUNT BEHIND	OTHER NOTES
Fingerprint cards	7,000	This is down from 70,000 however, this took dedicated one time grant money to help with the fix We fully expect to re-build this backlog at the rate of 77,000 per year based on our current staffing level
Court dispositions	110,000	This backlog has been growing since around July 2000. This backlog is growing at the rate of 2700 per month and we expect a large balloon batch coming in from L.V. Metro (above and beyond the 2700 figure) We still need dedicated money to spend on computer programming to make the data entry work more efficient (this would speed up the data entry process)
Domestic violence reports	20,000	This has been growing for the past 11 months. Additionally, we are nearly one year behind on the quarterly domestic violence reports that have been sought by the AG's Office
Uniform Crime Reporting	6 months behind	We are down to 1 employee in this work section. This used to have 4 employees. We may not be able to submit the annual UCR report to the Governor (as detailed in statute)

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