

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 19, 2023 [X] Consent [] Regular
[] Ordinance [] Public Hearing

Department: Department of Public Safety
Submitted By: Department of Public Safety
Submitted For: Division of Justice Services

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) receive and file executed Judicial Inquiry System (JIS) Interagency Agreement with the Office of the State Courts Administrator (OSCA) authorizing the Public Safety Department's Pretrial Services Program (PTS) to utilize the Florida Department of Law Enforcement's (FDLE) Criminal Justice Network, an intra-agency information and data sharing network for use by the State of Florida's criminal justice agencies for criminal background checks;
B) approve Criminal Justice Information Services (CJIS) Agency Contact form to update PTS contacts;
C) approve JIS Department of Highway Safety and Motor Vehicle (DHSMV) Access Certification Statement certifying PTS has appropriate internal controls in place to protect data; and
D) authorize County Administrator or designee to execute agreements and administrative documents associated with OSCA for the utilization of FDLE's Criminal Justice Network after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations.

Summary: On September 9, 2014, the Board of County Commissioners approved a JIS Interagency Agreement (R2014-1339) and CJIS Agency Contact form (R2014-1340) with OSCA. The JIS Interagency Agreement is a no-cost agreement with no expiration date. Execution of the updated JIS Interagency Agreement ensures that PTS will have comprehensive access to the criminal histories of individuals who fall within the scope of work performed by PTS, by allowing access to and retrieval of information from the Florida Crime Information Center as well as the National Crime Information Center. To comply with the terms of the previous agreement, the OSCA must be notified and a new interagency agreement signed within 30 days upon a change in the designated Point of Contact (POC). Due to a change in the County's POC, a revised user agreement was needed. Pursuant to the Purchasing Code and upon advisement from the County Attorney's Office, the Purchasing Director signed the updated JIS Interagency Agreement. The regular process could not be followed due to the 30-day turnaround required in order to remain in compliance. The CJIS Agency Contact form provides the updated PTS contacts. The JIS DHSMV Access Certification Statement certifies PTS has the appropriate internal controls in place to protect data from unauthorized access, distribution, use, modification, or disclosure. Countywide (RS)

Background and Justification: PTS provides verified information to the First Appearance Court so that informed decisions may be made regarding bonds for individuals appearing in that court. One of the functions involved in collecting the information is to perform a criminal history background check. The PTS program will use the JIS to access national and statewide criminal histories and generate a court docket each day.

- Attachments:
1) JIS Interagency Agreement
2) CJIS Agency Contact form
3) JIS DHSMV Access Certification Statement

Recommended By: [Signature] 12/4/23
Department Director Date
Approved By: [Signature] 12/6/23
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
Personal Costs	_____	_____	_____	_____	_____
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Is Item Included In Current Budget?	Yes _____	No _____			
Is this item using Federal Funds?	Yes _____	No _____			
Is this item using State Funds?	Yes _____	No _____			
Budget Account Exp No: Fund _____	Department _____	Unit _____	Object _____		
Rev No: Fund _____	Department _____	Unit _____	RevSc _____		

B. Recommended Sources of Funds/Summary of Fiscal Impact:

*There is no fiscal impact associated with this agenda item.

Departmental Fiscal Review: (10) [Signature] 11/3/23

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 11/21/23
 OFMB JA 11/20 11.20

[Signature] 11/29/23
 Contract Administration
 Feb 11/29/23

B. Legal Sufficiency:

[Signature] 12/1/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.



JUDICIAL INQUIRY SYSTEM (JIS) INTER-AGENCY AGREEMENT

This Agreement between the Office of the State Courts Administrator (OSCA) and

Palm Beach County Board of County Commissioners

Agency Name

301 North Olive Ave., West Palm Beach, FL 33401

Agency Address

is for access to criminal history and other criminal justice-related information through the Judicial Inquiry System (JIS).

OSCA and the (Agency) agree as follows:

I. OSCA Obligations

- A. OSCA, as administrator of the Judicial Inquiry System (JIS), will provide the Agency with access to data sources for official business purposes.
- B. OSCA will provide access to the JIS at no cost to the Agency.

II. Agency Obligations

A. The Agency agrees to:

1. Abide by all applicable terms and conditions stated in the User Agreement between the following to the extent permitted by federal or state law:
 - Federal Bureau of Investigations (FBI) CJIS Security Policy
 - OSCA and Appriss Data User Agreement
 - OSCA and Department of Highway Safety and Motor Vehicle (DHSMV) Memorandum of Understanding
 - OSCA and Department of Juvenile Justice (DJJ) Memorandum of Understanding
 - OSCA and Florida Association of Court Clerks (FACC) Memorandum of Understanding
 - OSCA and Florida Department of Law Enforcement (FDLE) User Agreement
2. Access JIS for official business purposes only.
3. Abide by all applicable local, state, and federal laws, policies, procedures, and regulations relating to access to and use of criminal justice information to the extent permitted by federal or state law.
4. Establish internal policies and procedures to ensure that all users comply with agreements listed above.
5. Restrict use and dissemination of information obtained from JIS to performance of official business only in accordance with all applicable federal laws, state laws, court rules, and agreements listed above to the extent permitted by federal or state law.
6. Maintain any information obtained from JIS in a location that will prohibit unauthorized access and destroy records containing such information in compliance with all applicable federal laws, state laws, court rules, and agreements listed above to the extent permitted by federal or state law.

7. Allow only approved personnel to access JIS.
8. Identify an FCIC Agency Coordinator (FAC), if applicable, and a Point of Contact (POC) who will approve user access to JIS.

The POC/FAC's responsibilities include, but not limited to, the following:

- Review and approve requests for JIS access based on users' job responsibilities.
 - Notify JIS Administrators immediately to inactivate user access following separation from the Agency, user reassignment that no longer requires access, negligent, improper, or unauthorized use or dissemination of any information.
 - Provide JIS Administrators with updated JIS Inter-Agency Agreement within thirty (30) days of change to the agency head, POC, and/or FAC. New accounts will not be set up until an updated agreement is fully executed.
 - Complete audit requests initiated by OSCA JIS Administrators.
 - Ensure the Agency's JIS users comply with polices and requirements within this agreement.
 - Ensure the Agency's JIS users comply with internal agency policies, including auditing transaction, that apply to JIS usage.
 - Must authorize each user's access to data sources that require CJIS certification or security awareness training.
9. Take steps to prevent a security breach caused by access and use of the site under this Agreement. If the Agency believes that there has been a breach of security the POC or FAC shall immediately notify OSCA JIS Administrators.
 10. Maintain security updates to computers or systems that access JIS. Take precautions against viruses, worms or any other cyber security threats that may impact JIS.
 11. Ensure data extracted from JIS that is stored or transmitted that is of confidential, private, or sensitive nature shall meet the Federal Bureau of Investigations (FBI) CJIS Security Policy encryption requirements or data source encryption requirements.
 12. Ensure that criminal justice information (CJI) is not transmitted to OSCA by any staff through any non-secure or unencrypted email system.
- B. The Agency understands that violation of these terms and/or the below cited laws may result in immediate revocation of JIS access, possible civil and criminal prosecution, and/or further disciplinary procedures.
- C. The Agency's failure to comply with laws, rules, and the user agreement shall constitute grounds for immediate termination of access. Access will remain revoked until the Agency complies with all rules and requirements.
- D. Access and use of JIS is governed by all applicable federal law, including the Federal Drivers Privacy Protection Act, and state law including but not limited to, the confidentiality requirements contained in chapter 119, Florida Statutes, sections 119.10, 39.0132, 501.171, 815, 839.26, 943.053, 984.06, 985.04, and Rule 2.420, Florida Rules of General Practice and Judicial Administration to the extent not in conflict with federal or state law.

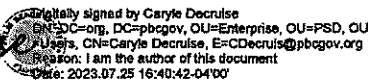
E. The Agency shall submit a DHSMV Annual Certification Statement to ensure proper and authorized use and dissemination of information. Failure to timely submit the certification statement may result in an immediate termination of this agreement.

III. Other Terms and Conditions

- A. OSCA reserves the right to approve or deny all requests for access to JIS.
- B. OSCA is not responsible for the content of any linked site or any updates to links provided on JIS. Links on JIS will enable the Agency to leave JIS and are provided as a convenience for the individual user. The inclusion of links does not imply any endorsement by OSCA.
- C. Either party may terminate this agreement upon thirty (30) days written notice to the other party. OSCA may terminate this agreement without notice if the Agency fails to comply with the terms of this agreement.
- D. This agreement constitutes the entire agreement of the parties and may not be modified without written agreement executed by both parties. Any amendments, alterations, variations, modifications, extensions, or waivers of provisions of this Agreement shall only be valid when they have been reduced to a written, duly approved, and signed by both parties.
- E. This agreement is valid for three years after the initial date of OSCA execution. The OSCA may also renew this agreement for an additional period of time not to exceed three years.
- F. The Agency and OSCA agree that this Agreement is subject to the provisions of section 768.28, Florida Statutes.
- G. The Agency agrees to assure that records pertinent to this agreement are available at all reasonable times for inspection, review, or audit by federal, state, or other personnel duly authorized by the OSCA. The Agency agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Florida Supreme Court Office of the Inspector General pursuant to section 20.055, Florida Statutes, or the Auditor General of Florida.

JIS Point of Contact (POC) / FDLE FCIC Agency Coordinator (FAC) information

- * A minimum of **two (2)** and a **maximum of six (6)** individuals should be authorized as Agency Contacts.
- * FAC must be designated if agency accesses FCIC/NCIC data . May serve as a POC.

POC Name: Caryle Decruise
FAC/ Alt FAC E-mail: Cdecruis@pbcgov.org Phone: (561) 355-6308
Signature: *Caryle Decruise*  Date: 07/25/2023

POC Name: Conrad Saddler
FAC/ Alt FAC E-mail: Csaddler@pbcgov.org Phone: (561) 688-4620
Signature: *Conrad Saddler*  Date: 07/25/2023

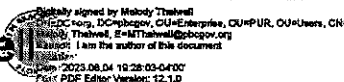
POC Name:
 FAC/ Alt FAC E-mail: Phone:
 Signature: Date:

POC Name:
 FAC/ Alt FAC E-mail: Phone:
 Signature: Date:


POC Name:
 FAC/ Alt FAC E-mail: Phone:
 Signature: Date:

POC Name:
 FAC/ Alt FAC E-mail: Phone:
 Signature: Date:

Agency Head Approval:

Agency Head Name	Melody Thelwell	
Agency Head Title	Director, Purchasing	
Agency Head Signature	Melody Thelwell 	Date: 08/04/2023

OSCA Approval:

OSCA Address	500 South Duval Street, Tallahassee, Florida 32399-1900	
OSCA Official's Name	Roosevelt Sawyer, Jr.	
OSCA Official's Title	State Courts Technology Officer	
OSCA Official Signature		Date: 8/8/2023

ALLEN COUNTY SHERIFF'S OFFICE


COUNTY ATTORNEY

CJIS AGENCY CONTACT DESCRIPTIONS

The Florida Department of Law Enforcement (FDLE) Criminal Justice Information Services (CJIS) Users' Agreement requires each agency to appoint designated contacts to include the CJIS Agency Coordinator (CAC), the Local Agency Security Officer (LASO) and other contacts listed below. Brief descriptions of the designations on the CJIS Agency Contact Form are provided to assist in making the best and most appropriate designation selections. One person may be assigned to handle all the designations, or different agency members may be appointed for each designation. At a minimum, all persons assigned to a designation **should be agency employees** in good standing, have a working knowledge of Windows based software systems, good organizational skills, be current in CJIS Security Awareness Training and be able to communicate effectively as an agency representative. **Vendors may not be named as any of the CJIS designations if the individual is a representative (employee, owner, developer, etc.) of a company that provides CJIS and/or IT services to the agency.**

CJIS Agency Coordinator (CAC) will act as the central point of contact regarding all communications between FDLE CJIS and the User. The CAC shall have User authority to ensure that all agency identified personnel, including those with decision making authority, are made aware and able to participate in all FDLE CJIS discussions that may lead to User business and policy changes. The CAC shall have the authority to appoint other User personnel to serve in other designated CJIS positions and sign the agency contact form.

Local Agency Security Officer (LASO) and Alternate Local Agency Security Officer (Alt-LASO) is responsible for the agency's compliance with the FBI CJIS Security Policy (CSP) and all applicable security requirements of the criminal justice information network and systems. The LASO/Alt-LASO should be knowledgeable of the technical aspects of the agency's network and maintain an ongoing working relationship with the local technical staff as well as the FCIC Agency Coordinator (FAC/Alt-FAC).

FCIC Agency Coordinator (FAC) and Alternate FCIC Agency Coordinator (Alt-FAC) ensures compliance with the legal and policy requirements contained within the CJIS User Agreement and Requirements Document, and facilitates communication between FDLE CJIS and the User regarding FCIC related matters. The FAC/Alt-FAC should have a strong working knowledge of the CJIS systems in use by the agency and be available to respond during normal business hours.

FALCON Application Access Administrator (AAA) creates and maintains users of the FALCON system. The AAA creates and approves user's access, provides roles and privileges to users who create and monitor Watch List records or who manage the agency's Retained Applicant Fingerprint transactions.

CJIS Online Administrator creates and maintains CJIS Online user accounts. The CJIS Online system is used by individuals who require Security Awareness Training as mandated by the FBI CJIS Security Policy.

nexTEST Administrator creates and maintains nexTEST user accounts. The nexTEST system contains FDLE required training for FCIC/NCIC certified operators and LASOs.

License Plate Reader (LPR) Contact will answer or relay questions specific to LPR operations at the agency.

National Data Exchange Agency Coordinator (NAC) serves as the contact for matters relating to access of N-DEX data via the LInX data sharing system or N-DEX directly.

Red Light Camera (RLC) Contact will answer or relay questions specific to RLC operations at the agency.

Validations Administrator creates and maintains user accounts within the FDLE provided online Validation Application.

Public Access System (PAS) Tip Information enables the public to provide information to law enforcement regarding local agency Hot File entries in FCIC that have been uploaded to FDLE's internet site. It is strongly suggested that agencies not use an employee's email address, but instead use an email address that is accessible and monitored by several agency members.



**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
CRIMINAL JUSTICE INFORMATION SERVICES**



CJIS AGENCY CONTACT FORM

Enter the pertinent information into this form and return it to FDLE by scanning and emailing the form to CJISIDT@fdle.state.fl.us. Upon receiving this form a CJIS Service Area Information Delivery and Training (ID&T) Member will contact each designee to discuss training available for these appointed positions. Once the CAC has been appointed by the User Chief Executive Officer, the CAC shall have the authority to appoint personnel to serve in other designated CJIS positions and sign subsequent agency contact forms.

Date: 8/22/2023

Agency Name: Palm Beach County Board of County Commissioners, Department of Public Safety, Pretrial Services Agency ORI: FL 050013B

Physical Address: 301 North Olive Ave., West Palm Beach, FL 33401

Mailing Address (if different): 205 North Dixie Hwy, Room 2.2400, West Palm Beach, FL 33401

Agency Main Phone: 561-688-4620 Agency Alt Phone: 561-355-6308

Agency Fax: 561-355-1559 FCIC/NCIC Record Entering Agency: YES NO

User Chief Executive Officer Signature: _____

User Chief Executive Officer Printed Name: _____

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

CJIS Agency Coordinator (CAC)
Name: Conrad Saddler  csaddler@pbcgov.org
Phone #: 561-688-4620 Cell Phone: 561-801-5097
COUNTY ATTORNEY

Local Agency Security Officer (LASO)
Name: Michael Gargiulo Email: MGargiulo@pbcgov.org
Phone #: 561-355-2389 Cell Phone: _____

Alternate Local Agency Security Officer (ALT - LASO)
Name: _____ Email: _____
Phone #: _____ Cell Phone: _____

CJIS Agency Contact Form

Date: 8/22/2023

Agency ORI: FL 050013B

User Chief Initials: _____

FCIC Agency Coordinator (FAC)

N/A

Name: Conrad Saddler Email: csaddler@pbcgov.org

Phone #: 561-688-4620 Cell Phone: 561-801-5097

Alternate FCIC Agency Coordinator (ALT- FAC)

N/A

Name: _____ Email: _____

Phone #: _____ Cell Phone: _____

FALCON Application Access Administrator (AAA)

N/A

Name: Caryle Decruise Email: CDecruis@pbcgov.org

Phone #: 561-355-6308 Cell Phone: 561-408-5266

CJIS Online Administrator

Name: Conrad Saddler Email: csaddler@pbcgov.org

Phone #: 561-688-4620 Cell Phone: 561-801-5097

CJIS Online Secondary Administrator

N/A

Name: _____ Email: _____

nexTEST Administrator

Name: Conrad Saddler Email: csaddler@pbcgov.org

Phone #: 561-688-4620 Cell Phone: 561-801-5097

nexTEST Secondary Administrator

N/A

Name: _____ Email: _____

License Plate Reader (LPR) Contact

N/A

Name: _____ Email: _____

Phone #: _____ Cell Phone: _____

CJIS Agency Contact Form

Date: 8/22/2023

Agency ORI: FL 050013B

User Chief Initials: _____

N-DEx Agency Coordinator (NAC)

N/A

Name: _____ Email: _____

Phone #: _____ Cell Phone: _____

Red Light Camera (RLC) Contact

N/A

Name: _____ Email: _____

Phone #: _____ Cell Phone: _____

THE FOLLOWING DESIGNATIONS ARE REQUIRED FOR ENTERING AGENCIES ONLY

Validations Administrator

Name: _____ Email: _____

Phone #: _____ Cell Phone: _____

Validations Secondary Administrator

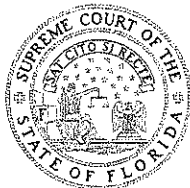
Name: _____ Email: _____

Phone #: _____ Cell Phone: _____

Public Access System (PAS) Tip Information

PAS Tip E-mail Address: _____ PAS Tip Phone #: _____

Carlos G. Muñiz
Chief Justice



Allison C. Sackett
State Courts Administrator

Office of the State Courts Administrator

**JUDICIAL INQUIRY SYSTEM (JIS) DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLE (DHSMV) ACCESS CERTIFICATION STATEMENT**

Under penalty of perjury I have read the requirements contained in the Memorandum of Understanding, Florida Administrative Code, Rule Chapter 60GG-2 (Formerly 74-2, FAC), and the Department of Highway Safety and Motor Vehicles Vendor IT Security Policy and declare that the following is true:

The Requesting Party,

Palm Beach County Board of County Commissioners

(Agency Name)

hereby certifies that the Requesting Party has appropriate internal controls in place to ensure that the data is protected from unauthorized access, distribution, use, modification, or disclosure. This includes policies/procedures in place for both personnel to follow and data security procedures/policies to protect personal data. The data security procedures/policies have been approved by a Risk Management IT Security Professional or internal auditor.

.....

Printed Name

Title

PBC Board of County Commissioners

Agency Name

Date

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

COUNTY ATTORNEY